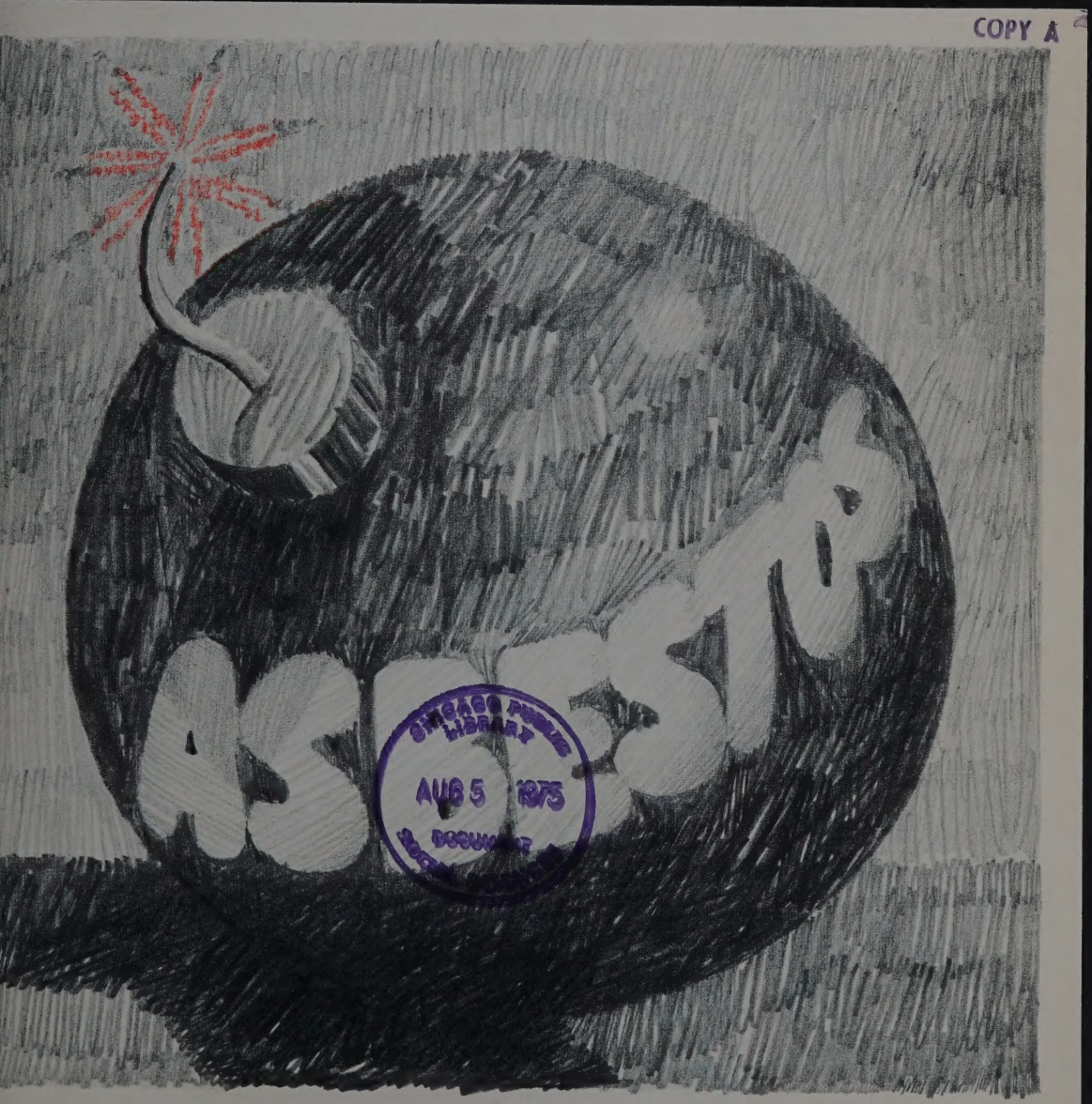
the labour gazette

june 1975



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Labour Canada Travail Canada

Celebrating 75 years of service
Au service des Canadiens depuis 75 ans

contents

Vol. 75, No. 6, June 1975

ARTICLES

338 **Industrial Democracy: Seminar Topic at Carleton U.**

338 **Unemployment—Job Vacancies Paradox Explained**

340 **Asbestos—the Hidden Time Bomb**
by David Quintner

344 **Industrial Democracy on Probation**
by Luana Parker

349 **Organizing Women Workers**
by Monica Townson

354 **P.A.T. Conference '75, Part 1**
by Sharleen Bannon

359 **Collective Bargaining in Economic Uncertainty**
by Roy LaBerge

362 **An Interview with Stanley Hartt**
by Ted Weinstein

365 **Social Justice: Still A Distant Goal**
by Kalmen Kaplansky

368 **Farm Workers: Victims outside the Law**
by John Bank

384 **Labour Legislation in Canada in 1974**
Part 4: Employment Standards
by S. Allan Nodwell

DEPARTMENTS

330 **News Briefs**

375 **Letters**

376 **Forum**

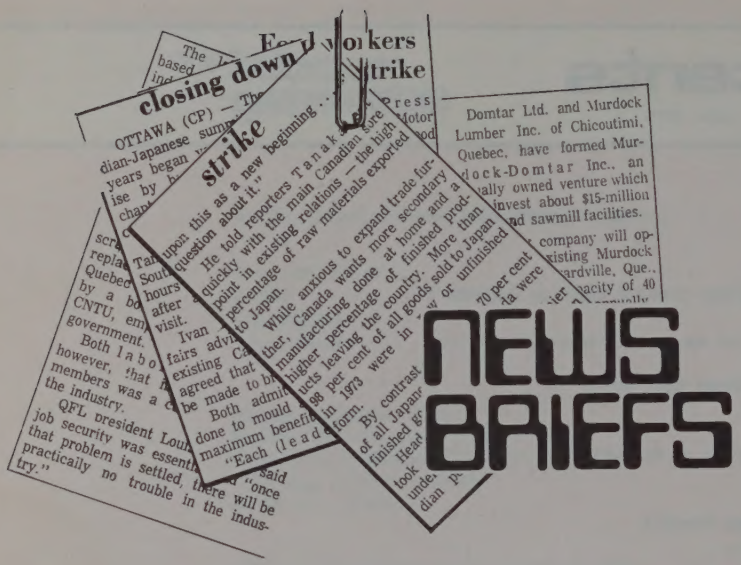
382 **Books**

390 **Fifty Years Ago**

391 **Conciliation**

394 **Additions to the Library**

397 **Labour Statistics**



Labour's Response To Turner Proposals

CLC. Ranking leaders of unions affiliated with the Canadian Labour Congress said they would adopt an anti-inflation program only if it involved a redistribution of income and "equality of sacrifice among all forms of income and profit."

That was the consensus of 65 top officers, representing 90 per cent of the 1,900,000 members of CLC affiliates, who met in Toronto May 7 to consider their response to Finance Minister Turner's proposals for combatting inflation through voluntary restraints.

"The net result of Turner's proposals would be to establish a ceiling on wages while leaving all other forms of income unrestrained," said a statement, prepared by the CLC's executive council and adopted at the Toronto meeting.

The statement said the CLC was prepared to continue its discussions with the Government but only if they included consideration of eight measures without which "no program can be considered acceptable:"

- a "major step" to improve the supply of housing; regulation of rents;
- an active program to curb land speculation;
- regulation of oil and gas prices;
- a negative income tax and some form of tax credit to protect low-income people;
- full employment policies;
- "positive evidence" that professional fees would be controlled;
- an increase in old-age pensions;
- a "definite guarantee" that any tax concessions made to corporations would be used for investment purposes to create jobs "and not end up in the payment of higher dividends".

The CLC said also that the program must include principles enunciated in a statement by Turner that the Congress received April 4. It quoted the minister as saying the proposals must be equitable, which implied that all groups in society "are asked to accept an obligation to behave in a manner consistent with the objective: that those who have been left behind in the recent period have an opportunity to catch up and that those earning lower incomes should be given somewhat more leeway than those earning higher incomes."

Business leaders are reported to have "certain reservations" about federal plans for voluntary wage and price restraints.

Steelworkers. Federal proposals to combat inflation by voluntary economic restraints were rejected unanimously by the 450 delegates to the Canadian policy conference of the United Steelworkers of America.

The delegates also concurred unanimously with the stand taken by 65 ranking officers of affiliated unions of the Canadian Labour Congress that the only acceptable policy would have to involve a redistribution of income and equality of sacrifice among all forms of income and profits.

William Mahoney, the union's Canadian director, said "old-party politicians and corporations" were trying to make labour the inflation scapegoat to draw public attention away from the "sky-high profits" of mining and petroleum companies, banks and chain stores.

And Ed Broadbent, parliamentary leader of the New Democratic Party, predicted that the restraint proposals would collapse totally in the weeks ahead, and that the federal Government would then make even stronger efforts to blame labour.

The conference adopted a policy statement on inflation that said there

was overwhelming evidence that whenever wage and price controls were tried they were followed by "wage and price" explosions when they were finally lifted.

The Steelworkers are negotiating contracts for 90,000 of their 188,000 members in Canada this year, including 15,000 who work for the Steel Company of Canada and 13,500 employees of International Nickel. There was no suggestion of restraint in the policy statement on bargaining objectives.

"Settlements in the coming year must not only catch up with the losses of the last two years and protect those gains against future cost of living increases through the use of COLA clauses, but must also provide workers with an equitable share of the growth in the national income and productivity that has already occurred."

The conference was held May 8-9 in Toronto, opening the day after the ranking officers of CLC affiliates had met in the same city to decide on their response to the federal proposals.

●

Canada's Strike Record

Statistics published by the International Labour Organization indicate that Canada's strike record compares unfavourably with those of other industrial countries, and more particularly with those of her major trading partners. In terms of the usual measure employed in making international comparisons, strike days lost per 1,000 persons employed in mining, manufacturing, construction and transport, Canada's record for the period 1964-1973 was worse than that of the United States, France, West Germany, Japan, and Britain. Canada's only significant trading partner with a worse record was Italy.

Last year, Canada lost 9.3 million man-days through industrial disputes, an increase of 62 per cent over 1973. In fact, 1974 turned out to be Canada's worst year ever for industrial strife.

The ILO regularly publishes strike statistics on eighteen countries, although for purposes of comparison press reports usually select Canada's six major trading partners. The conclusion that Canada has the worst strike record of any major country apart from Italy is based upon an average for all eighteen countries covering the ten-year period 1964 to 1973.

The average is considered to be the most satisfactory indicator because it avoids the risk of basing conclusions on only one year's results, which may be far from representative. For example, considering 1973 in isolation leads to the conclusion that Denmark's strike record is twice as bad as Canada's. In that year she lost more than twice as many strike days per thousand workers as Canada. This conclusion, however, completely ignores the evidence of the previous nine years during which Canada lost, on average, fifteen times as many strike days per thousand workers as Denmark. A detailed examination of the pattern of strikes in Denmark in 1973 shows that year to have been completely atypical.

It should be borne in mind that strike statistics do not include man-days lost as a result of layoffs caused by strikes. The statistics are therefore not necessarily a good indication of the extent of industrial disruption caused by strike activity. Moreover, methods of compiling strike statistics may vary among the countries listed by the ILO.

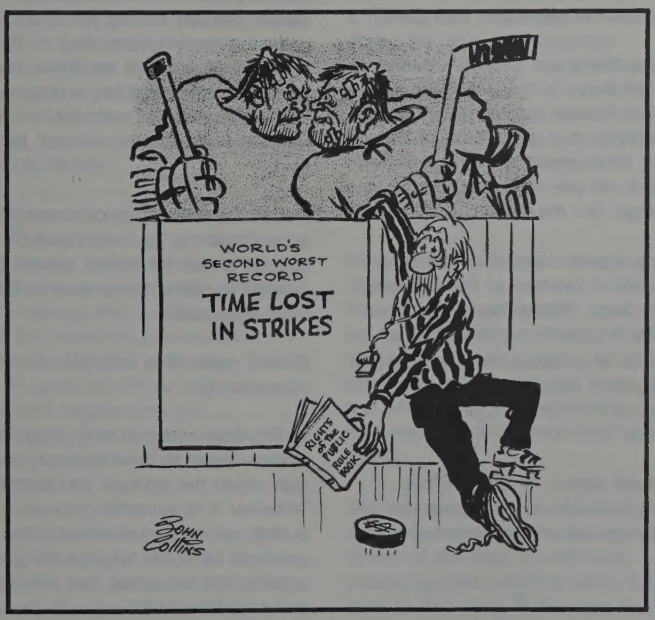
●

Productivity Lags

Statistics Canada measurements show that Canada lagged on the productivity front in 1973.

Output per man-hour for all commercial industries increased by only 2.4 per cent, the smallest annual

John Collins



increase since 1967. The average annual rate of growth was 4.3 per cent in the 1961-73 period.

Unit labour cost increased by 4.7 per cent in 1973, reflecting a 12.3 per cent increase in labour compensation and a 7.2 per cent increase in output.

In the manufacturing industries, output per man-hour increased by 2.1 per cent in 1973 while unit labour cost rose by 4.4 per cent.

●

Executive Job Openings

Openings for executives and accountants, engineers, scientists and other professional workers declined by 17 per cent in Canada during the first quarter, and at the end of March, they were down 20 per cent from March 1974, the Technical Service Council says. The council is a non-profit placement and consulting firm financed by 525 companies.

It says the Prairies and the Atlantic provinces are the only areas in which professional and executive job openings have not been reduced by the slowdown in the economy. The council blames reduced activity and layoffs in the auto, textile, furniture, home entertainment, appliance and mining industries.

It says the demand for professionals is expected to fluctuate close to the present level for the rest of the year. Anticipated capital spending by Canadian industry of $23.4 billion dollars should, however, buoy up demand for engineers, designers and draftsmen.

●

Effectiveness Exaggerated

The Canadian Council on Social Development says government statistics exaggerate the effectiveness of Canada's manpower programs.

In a submission to the Senate Standing Committee on National Finance (Manpower Programs), the Council said some statistics—such as the amounts spent on training programs, job creation or regional development—suggest that the Government is doing an admirable job. Closer analysis, however, produces a less favorable conclusion. It shows that for many people these expenditures are not producing any basic improvements in the employment scene.

For example, government figures that claim Canada compares favorably with other countries in terms of training expenditures as a percentage of gross domestic product are deceptive. It was 0.37 per cent of the gross domestic product in 1972, close to Sweden's 0.43, but because Sweden had a much lower rate of unemployment, "Canada lagged badly in terms of expenditure per unemployed person."

The brief said Canada's expenditures on training "have often functioned as income maintenance schemes for seasonal workers rather than as preparation of people for new jobs."

Canada Manpower Centres claimed they led those in the United States, Sweden, France and West Germany in placements as a percentage of the labour force, and that every year they fill 25 to 30 per cent of all job openings. But the Council asserted:

"These figures suggest an alarmingly high rate of turnover in the Canadian labour force. Rather than reflecting a healthy dynamism, we take this as evidence of a malaise in the Canadian employment picture. It illustrates that there are a lot of poor jobs in Canada."

The brief added: "If jobs are not readily available, mobility programs will merely spread unemployment around."

●

Must Restructure Work

The Canadian work environment is in trouble, John Carson, chairman of the Public Service Commission of Canada, told the annual conference of the Industrial Relations Management Association of British Columbia. Management must restructure work to deal with what he calls the "malaise of workers".

"Workers are no longer content to carry on tasks that have little or no intrinsic value to them, to be remote from the decisions that affect their labours, to be the subject of controls that appear arbitrary and unfair to them, or to be always told, never asked, what to do."

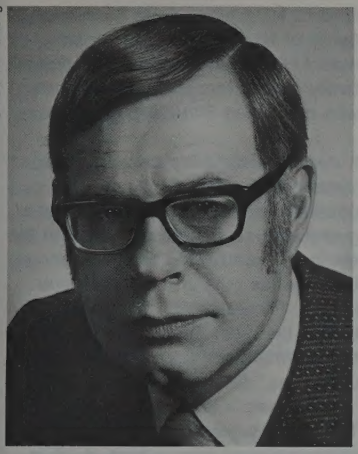
Carson said that if the current trend toward increased industrial strife is to be reversed, "management must consider ways in which it can serve the workers and not the other way around."

He suggested a "distress centre" to which companies could turn for help. "A non-partisan, multi-disciplined centre, perhaps funded jointly by governments, industries and associations such as the IRMA, could help foster the need for, and speed the experimentation with, the rethinking of our work values," he said.

He also described the personnel administrator as an "endangered" species unless he makes himself a catalyst in restructuring work in his own organization.

Carson gave three principles for this restructuring:

- The task assigned to a group of workers must be a whole task, one with which the workers can identify: "Whether it is assembling toasters or putting out an annual report, there needs to be some tangible thing, or service, that the group can point to and say, 'We did it'."



Studio von duiong

Carson

• The group should be relatively self-regulating, even in deciding how a job should be done and the time and tools needed.

• The work community's relationship with the surrounding world is important. The group should have available whatever information it needs to structure, design or execute the job, as well as guidance in learning from its own mistakes. This means also that management must be willing to relax many "normal" bureaucratic controls, and that unions must at times be flexible.

Carson warned against seeking easy, sure-fire solutions to all problems: "Stop looking for guarantees of universal success," he said, adding: "Don't assume that you'll be able to retain the traditional paternalistic decision and control authority. We'll have to open our minds and our hearts and maybe even our pocketbooks. And maybe, just maybe, we'll reap rewards we've never even dreamed about."

Wilf List, the labour reporter for the Toronto *Globe and Mail*, told the conference that newspapers may be the most effective way for both unions and management to present their case to the workers and the people who might influence them.

He called for less secrecy in labour negotiations: "If a fair appraisal is not made available to the news media by leaders of union and management bargaining teams, the result can be speculation and spawning of unwarranted fears."

Paul Weiler, chairman of the B.C. Labour Relations Board, clarified board policy for the participants. It was the Board's view, he said, that the provincial labour code required that the employer adopt a "neutral stance" regarding union representation. "An employer is not entitled to engage in an active campaign for the affection and support of its employees against the union, no matter how carefully it avoids any threats or intimidation."

Weiler suggested that in the face of wildcat strikes or illegal picketing, the Board would not turn itself into an "injunction mill."

"Undeniably such work stoppages are a harmful and unacceptable tactic during the term of a collective agreement. But it is equally true there are reasons inherent in a collective bargaining relationship that employees take this action, which not only inflicts damage on their employers but causes a loss of wages to themselves as well."

He added: "There is a common point of view shared by members of the Board which underlies the approach we have gradually evolved. Labour disputes within an on-going collective bargaining relationship are rarely black and white, with one side totally in the right and the other completely in the wrong.

"To deal with a dispute as though it were 'black and white' might give the winner of the case a short-term victory, but one which is rarely helpful even to that party in the long term.

"And the further difficulty is that after a while, even a victory is only a paper victory. It is very easy for the Board to read the statute, see that a strike during the term of an agreement is illegal, and then write an order saying that the strike must end immediately. It is a lot harder to enforce that order against an adamant trade union."

Therefore, he said, the Board would, in "appropriate cases" try to use informal mediation to try to end illegal work stoppages.

•

Group Dental Care Plans

About 3.4 per cent of the Canadian labour force is covered by group dental plans. The Canadian Association of Accident and Sickness insurers says 327,000 employees belonged to 2,424 group plans at the end of 1974. Another 541,000 persons—their dependants—also are covered.

Canada still trails the United States in the percentage of the labour force in group plans for dental care; but, if the present trend continues, Canada could take the lead by 1980.

•

Salary Anomalies by Sex

A University of Toronto task force has found "salary anomalies closely related to sex" among the university's non-academic employees.

It also found a need for developing "managerial respect for the contribution women make to society in general and the working efficiency of the university."

In four specific job categories—clerk, programmer, laboratory technician and administrative officer—women outnumbered men 352 to 93 in jobs paying less than $10,000 a year. But

men outnumbered women 104 to 63 in jobs paying more than $10,000.

The task force recommended that employees be given more information about job openings and career possibilities on campus, and that management training and supervisory courses be made available to all employees.

It proposed also that everyone responsible for hirings or promotions "be directed to seek out female applicants when few are forthcoming."

•

Ombudsman for PS?

A parliamentary committee has heard a proposal for the appointment of an ombudsman for federal public servants. Ken Eaton, an economist with the Canada Department of Labour, says the ombudsman would "investigate, publicize and, if possible, rectify injustices that cannot be dealt with by existing machinery."

Eaton says departments now have the right to settle many grievances internally with the deputy minister as the last level of appeal. Only cases involving the application of a contract or such disciplinary actions as suspension, discharge or financial penalty go to outside arbitration.

Eaton appeared before the Senate-Commons committee studying the Finkelman report, which proposes changes in the Public Service Staff Relations Act.

He said the system seems fair where a grievance goes to arbitration, but where it cannot, "the administration plays the role of judiciary, the traditional separation of powers is missing and the justice of the grievor's cause is liable to be ignored in the interests of administrative expediency."

•

Federal Minimum Wage

The minimum wage in industries under federal jurisdiction increases by 40 cents to $2.60 an hour on July 23. And the minimum for workers under 17 goes up to $2.35, also a 40-cent rise.

Labour Minister Munro, in announcing the increases, said they take into account increased living costs and the general advancement of average wages and salaries.

•

1974 Immigration Higher

Canada admitted 218,465 immigrants last year, 18.6 per cent more than in 1973.

Britain continued to be the major country from which the immigrants came, accounting for 17.6 per cent of the arrivals. The United States was second with 12.1 per cent. Next in order were Portugal, 7.5 per cent; India, 5.9; Hong Kong, 5.7; Jamaica, 5.2 and the Philippines, 4.4.

About 55 per cent of the immigrants came to Ontario, 15.8 per cent to British Columbia, 15.3 per cent to Québec, 10.9 per cent to the Prairies and 2.8 per cent to the Atlantic provinces.

•

Children in Poverty

One Canadian child in four is poor, and the National Council of Welfare says this situation will continue until Canada adopts a guaranteed annual income program. In *Poor Kids*, a report on children in poverty in Canada, the council recommends an income security system "based on an income guarantee level not less than the poverty line."

The report cites Statistics Canada's most recent determination of poverty lines in 1974 terms, from $5,257 for a family of four in a centre with less than 1,000 population to $7,601 for a family of four in a metropolitan area with more than 500,000 population.

It describes Canada's present welfare system as "inadequate by every possible measure," and it says that a guaranteed annual income program to eliminate poverty would cost no more than the tax cuts in the last federal budget. "There can be no hiding behind the myth that we cannot afford to ensure income adequacy for all Canadians," the report adds.

The percentages by province of poor children ranged from a high of 45 in Newfoundland to a low of 17.1 in Ontario, the study found.

•

Services for Old People

Canada has not developed badly needed services to enable old people to continue living in their own homes, says Reuben Baetz, executive director of the Canadian Council on Social Development. Baetz made the statement in releasing a study titled *Residential and Community Services for Old People*, by Philip Hepworth. Part of an eight-nation review of personal social services, the study was conducted under the auspices of the Columbia University School of Social Work.

The study shows that, although Canada has done much for old people in the areas of housing and income security, it has generally neglected to provide support services, including house cleaning, transportation, help with nutrition, and social, educational and recreational facilities, to enable them to continue living in their communities.

The major measures of income support in Canada seem likely, the report says, to divide the elderly into two groups: the well-off and the

dependent. "The segregation of the 'dependent' elderly to special enclaves perpetuates the idea of old age as something separate and shameful," it adds.

The report recommends that old people be kept in institutions "only in exceptional circumstances" because of the "depersonalization" that often accompanies institutional care.

●

Review Asbestos Claims

The Ontario Workmen's Compensation Board intends to review a number of previously disallowed claims from asbestos workers or their families for compensation because of lung cancer.

This is one result of a review of a policy that workers exposed to asbestos over a long period of time had to show symptoms of asbestosis, as well as of lung cancer, to be eligible for compensation.

The board says recent research indicates the balance of probabilities has shifted: "Lung cancer in the presence of asbestos particles, but in the absence of asbestosis, may be considered as occupational in origin, within the revised exposure and other criteria.

"The revised criteria are currently being developed, and a number of claims previously disallowed will be reopened by the board for review as quickly as possible," said John P. MacBeth, Ontario Minister of Labour.

●

Sask. Asbestos Rules

Saskatchewan has adopted new regulations to protect workers who are exposed to dust from materials containing asbestos. The regulations, under the Occupational Health Act, ban the use of crocidolite (blue) asbestos and prescribe measures to prevent the release of asbestos dust.

Where asbestos-free materials cannot be substituted or effective exhaust ventilation installed, the new rules require that workers be provided with and trained in the use of approved respirators and protective clothing. They also require that workers be provided with annual medical examinations and full information on the dangers of asbestos fibres to the body. Labelling and warning notices on all products containing asbestos are also obligatory.

There is no asbestos mining or manufacturing in the province, but hundreds of workers handle asbestos materials in insulating work, construction, demolition, asbestos pipe cutting and installing, and automobile brake and clutch work.

●

Eligible for Benefits

A Pennsylvania dock worker who quit his job on his doctor's advice because of air pollution has been ruled eligible for unemployment compensation.

In a precedent-setting decision, the Pennsylvania Unemployment Compensation Board of Review ruled that Thomas Budd's reason was of a "necessitous and compelling nature." Budd's doctor had advised him to stop unloading grain because dust and chemicals from it were damaging his lungs.

●

Harvest Workers

Seasonal workers from Mexico and the Caribbean Islands are being admitted to Canada again this year to help harvest fruit and vegetable crops in Québec and Ontario.

This will be the twelfth consecutive season that help with the harvest has come from the Caribbean and the second consecutive year from Mexico. Last year 5,287 came from the Caribbean and 195 from Mexico.

Careful consideration has been given, the Minister of Manpower and Immigration said, to the effect of the programs on the demand for Canadian labour, particularly during periods of high unemployment in Canada. The programs are intended to supplement the available supply of Canadian workers during peak harvest periods, and not to replace Canadian workers. Canadian students, who make up a large part of the harvest work force, return to their classrooms just as harvest work nears its peak in September.

●

High Unemployment But Jobs Go Begging

A million jobs go begging in the United States—despite high unemployment—because the unemployed workers don't have the needed specific skills. The one million figure is the estimate of Van M. Evans, president of a New York consulting firm, who says it might even be higher.

Skilled workers in short supply include machinists, electrical engineers, oil well drillers, rig builders, X-ray technicians, secretaries, and welders who can work on pressure vessels for natural gas. Companies drilling for oil need 5,400 workers this year and expect to have to train most of them.

Business Week says in every recession jobs go unfilled despite high unemployment.

●

Older Workers Giving Up

Workers 55 and over are becoming more and more discouraged by the shrinking job market in the United

States and are dropping out of the labour force in large numbers.

This conclusion was reached by Marc Rosenblum, an economist at the City University of New York, in an article in *Industrial Gerontology*.

Rosenblum says workers 55 and over constitute one tenth of the unemployed and simultaneously one third of those who would work but have stopped looking for jobs because they believe none are available.

He blames the situation on worsening economic conditions, and predicts that more and more older people can be expected to withdraw from the labour market if conditions do not improve.

●

Co-supervision Proposed

A committee charged by President Giscard d'Estaing with studying company reform in France has proposed co-supervision rather than co-direction as the means for worker participation in the management of industry.

The committee recommends that workers' representatives hold one third of the seats on company boards of directors. Only four are currently entitled to attend board meetings—as observers—and two of them are chosen from middle management.

The representatives would participate, however, only in the directors' supervisory functions and not in their management functions.

This may be difficult to adopt, because most French companies, unlike those in West Germany, have only one board of directors and it fulfils both functions. Many West German companies have a separate board for each role.

●

Co-determination by Law

The Swedish Government has announced it intends to introduce new legislation to extend industrial democracy. It would take effect from January 1, 1977.

The legislation will be based on recommendations of a commission that undertook a four-year study of every aspect of industrial democracy in Sweden. On it were representatives of the state, employers, unions and each major parliamentary party.

The commission has recommended that every aspect of a company's operations involving employer-employee relations may be subject to negotiation and co-determination if the employees request it.

It also recommends that in the event of disagreement the parties have recourse first to a joint employer-union body and finally to a labour court.

The commission disagreed, however, about which party would have to initiate the appeal. The majority said that in a disagreement the employer's opinion should prevail and that the employee would have the right to appeal. A minority report said the employees' opinion should be pre-emptive and that it was up to the employer to initiate the appeal.

Labour Minister Ingemund Bengtsson has drawn protests from employers' groups and some minority parties by a statement that the government intends to adopt the minority recommendation.

●

Labour Attaché Dies

Eamon Park, Canada's labour counsellor in London, England, who died there April 29, had a labour career spanning 34 years. Park, who was 58, had been Canada's labour specialist in England since August 1972.

A native of Ireland, he began his labour career in Kirkland Lake, Ontario in 1941. The following year he became a member of the United Steelworkers of America, beginning an association with that union that was to continue for the remainder of his life. Prior to his London appointment Park was Assistant to the Canadian Director of the Steelworkers, and before that was organizer and director of the union's public relations and legislative departments. His international experience included participation in a number of meetings of the Iron and Steel Committee of the International Labour Organization.

He was New Democratic Party member of the Ontario Legislature from 1948 to 1951 and in 1965 was elected president of the Ontario NDP.

Labour Minister John Munro paid tribute to Park as a man possessing tremendous insight into the human aspects of the workplace. "In addition, his knowledge of the labour movement both in Canada and the United Kingdom enabled him to make a unique contribution to the work of the Department."

●

Pat O'Neal Dead at 54

E.P. (Pat) O'Neal, one of the most colourful figures in the Canadian labour movement, died on April 15 in Vancouver. He was 54.

O'Neal, western regional vice-president of the Canadian Paperworkers Union, had been in ill health for some time.

Born Thomas Joseph Casey in County Mayo in Southern Ireland, he jumped a merchant ship in Victoria in 1947 and took his new name. He did not receive legal immigration status until 1963.

He was secretary-treasurer of the B.C. Federation of Labour from 1959 until 1966, when he resigned to become

regional organizer for the International Brotherhood of Pulp, Sulphite and Paper Mill Workers.

In 1972 the Brotherhood merged with the United Papermakers and Paperworkers, and in July 1974 the Canadian section of the merged union separated from the international to become the Canadian Paperworkers Union.

The CPU's national president, Henri Lorrain, paid tribute to O'Neal as one of the chief architects of the new union.

O'Neal was also the architect of an incident that led to the 1967 Royal commission on the invasion of privacy.

He admitted to the commission that he had hired a private detective to place a listening device in hotel rooms in Vancouver used by a rival union.

●

Coloured British Workers

Unions in Britain have been given a reminder of their obligations to workers from Asia and the Caribbean. It comes in a pamphlet entitled "*Trade Unions and Immigrant Workers*," published by the Workers Educational Association and the Runnymede Trust.

The pamphlet discusses the problems facing British unions in integrating immigrant workers into the work force.

Only two full-time union officials in the country are coloured, and union membership among the immigrants is low, largely because they work in large numbers in such poorly organized industries as catering and textiles.

●

P.S.S.R.B. Resignation

One of the deputy chairmen of the Public Service Staff Relations Board whose appointment was reported in the March number (p. 149) resigned within weeks of his appointment. Maurice F. Wright, Q.C., told the chairman of the Board, Jacob Finkelman, that, for personal reasons, he must return to private practice.

■

Workers Buy U.S. Mine

Asbestos mine workers in Vermont have become their own bosses. They bought the 2,300-acre Belvidere Mountain Quarry and Mill, 75 miles north of Montpelier, after the billion-dollar GAF Corporation announced it would close it rather than install $1.5 million in pollution equipment as directed by the United States Government.

The open-pit mine and mill becomes one of the largest employee-owned and operated businesses in the U.S.

The workers saved 178 jobs with the $400,000 they paid for the mill. Some state officials had said it was worth $3 million.

■

Significant Court Ruling

The United States Supreme Court has ruled as constitutionally indefensible a 1939 decision by Congress that widows, but not widowers, of participants in the social security system are entitled to collect benefits for their dependent children.

The court said this distinction deprives women workers of the equal protection of the laws guaranteed by the Fifth Amendment, by providing them with less protection for their survivors than male workers, although they pay the same payroll tax.

The majority of the justices ruled that if a sex-based distinction is to be constitutionally valid, it has to be non-discriminatory in its consequences—a ruling that could be significant to the women's rights movement.

■

Paid While Not Working

Thousands of graduating students, hired by major Japanese corporations, have been laid off even before they started working.

Because of economic recession, the students were told to "wait at home" instead of starting their jobs in April. While waiting, they get an average payment of about 60 per cent of their salary.

Such layoffs are unusual in Japan. Normally, once an employee is hired, he remains with the firm until he retires.

■

Migration to Oil Lands

A mass migration of labour to the oil-rich countries of the Middle East is beginning. The first of thousands of specialists needed to plan and supervise the "instant" industrialization of these nations are already taking up residence. So is the initial wave of semi-skilled and blue-collar workers needed to turn the plans into reality.

Iran will need an estimated 700,000 foreigners before the end of its current five-year plan. Libya wants 600,000 from Turkey alone; Algeria and Saudi Arabia also will need hundreds of thousands of workers.

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Industrial Democracy: Seminar Topic at Carleton U.

Industrial democracy will not be coming to Canada for a while. This was the view held by most members of a panel discussion "Industrial Democracy and Its Perspectives for Canada" organized by Carleton University's Department of Sociology and Anthropology.

Members of the panel—including union representatives, government officials and academics—said industrial democracy would be a good thing for the Canadian worker, but it will be slow in coming because union officials simply don't want it.

In several European countries, industrial democracy has meant giving employees rights that are regarded in North America as purely management prerogatives. In European factories today, workers are making decisions about the speed of assembly lines, the design of new buildings and the investment of profits.

Where industrial democracy has been experienced, there is general agreement that it is at least partly responsible for the record of industrial peace in many European countries.

Between 1968 and 1972, on the average, Sweden lost through strikes 62 days a year, per 1,000 workers, and Germany 74 days. In Canada the rate was 1,724 days.

In Canada, the emphasis is more on strong collective bargaining and less on industrial democracy. "Since their formation, unions in the public sector have shown themselves to be more interested in other innovations, for example, pensions and medical plans," said Gil Levine, Research Director of the Canadian Union of Public Employees (CUPE).

Levine also pointed out that industrial democracy would be impossible to achieve in the public bargaining sector. Under the Collective Bargaining Act for the Ontario Civil Service, the employer has the right to determine the conditions of employment. These include: work methods, procedures, and job assignment and evaluation. None are negotiable. For example, the Ontario Housing maintenance workers tried to bargain for safer conditions in the work place, but bargaining on this matter was ruled illegal on the grounds that safety is a management responsibility and not the concern of workers.

Ken DeWitt, director of the Union-Management Services Branch, Canada Department of Labour, pointed out examples of industrial democracy in Canada, saying that these experiments came about not as responses to workers' demands, but as responses to financial crises.

George Home, Director of the Canadian Labour Congress's Political Education Department, said that Canadian unionists are examining experiments in industrial democracy, and studying the possible implications of such experiences for Canada. "It is very difficult to have a set of guidelines for applying industrial democracy internationally," said Home. "Each form of participation depends on the economic and social conditions of each country."

Harold Wilson, consultant to the Letter Carriers' Union of Canada, believes that industrial democracy is necessary but believes that little leadership will come from union leaders. "But unless the CLC decides to take initiative, the rank and file will leave them behind," said Wilson.

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Unemployment—Job Vacancies Paradox Explained

Job vacancies and high unemployment may exist at the same time, but unemployment insurance is not the main reason for that apparent paradox.

A study of the labour market in Ontario in 1974 found several other reasons, including the market's failure to make adequate use of women, youths, minority groups and people who live in economically lagging regions.

The findings of the research branch of the provincial ministry of labour also confound the critics who claim that young people are taking advantage of unemployment insurance benefits.

Another conclusion is that most people unemployed in Ontario in mid-1974 were not considered by employers as worth hiring.

The study found these principal causes for the unemployment-job vacancies paradox:

- sudden changes in the level and composition of economic activity;

- inadequacies in the ways entry into the labour market is facilitated;

- reluctance of employers and social planners to treat labour as a resource to be developed and planned over a long term "rather than as if it flowed from a tap to be turned on and off instantaneously in response to immediate economic conditions."

One consequence of this reluctance was that the "manpower pipeline" was effectively broken during the slow-growth period of 1967-72. "Once broken, it could not be repaired in time for the sudden expansion that began in 1973."

The study says that unemployment insurance does contribute somewhat to the unemployment-vacancy problem, but that its contribution has been over-emphasized by the press: "Attacks on the unemployment insurance system serve mainly to divert attention away from more fundamental manpower concerns."

The researchers found no statistical evidence that an increasing proportion of people referred by the Canada Manpower Centres to prospective employers made mere "token" appearances to continue to qualify for unemployment insurance. Such a finding would have supported the theory that unemployment insurance was contributing to the unemployment of people who were not willing to work.

Instead, the researchers found only a very small increase in referrals in the first quarter of 1974, when unemployment was increasing and unemployment insurance claims were being very carefully monitored.

However, they did find a big increase in the rate of rejection by employers of people referred by the centres. Between 1969 and mid-1974, the percentage of referrals hired had dropped from 45.2 to 29.3.

Hence the conclusion that most people then unemployed weren't regarded by employers as worth hiring "in spite of what many claim is a desperate vacancy situation."

In other words, the labour market suffered from structural imbalance: the characteristics of the labour supply—age, sex, skills, training, education, occupation, experience, location—did not meet employers' labour needs.

In terms of skills, for example, there were big increases in job vacancies but small or zero increases in employment in managerial, natural sciences, engineering, mathematical, medicine and health occupations. In contrast, there were decreases in job vacancies for sales people and large increases in their employment.

Unemployment rates for women were persistently higher than for men, and for youths higher than for adults. People under 21 made up 32 per cent of the unemployed at mid-1974 but accounted for only 13 per cent of unemployment insurance claimants.

"One of the main reasons for this is that a high proportion of unemployed youths have not yet had their first job and therefore are not eligible for unemployment insurance," the report says.

"The important point is that unemployment insurance does not appear to be a very significant factor in supporting the unemployment of the group that has the most serious unemployment problem. This is contrary to the criticism that the youth take undue advantage of the unemployment insurance system."

The report says immigration can help meet specific occupational shortages but should not be regarded as a general answer to job vacancy problems: "To do so would perpetuate the 'turning-the-tap-on-and-off' approach that has contributed so much to the present manpower problems."

The most pressing need, the report concludes, is for improvements in the way human resources are utilized, particularly youths, women and minorities.

"We must do a lot better job of facilitating their entry into satisfactory employment."

The report also observes: "Anything that would facilitate longer-term operational budgeting for both educational institutions and employers would remove one of the major obstacles to manpower planning."

And it proposes "more imaginative" approaches to subsidizing on-the-job training and experience, particularly for youths.

The authors of the research report, M. L. Skolnik and Farid Siddiqui, both research economists in the branch, stress that their conclusions are tentative and do not represent the official position of the ministry.

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Asbestos—the Hidden Time Bomb

by David R. Quintner

Fibres so soft to the touch they feel like finely milled flour. So tough, they have the tensile strength of steel. So deadly, the Ontario Government insists no one should work where they can breathe in more than two of the minute fibres in any cubic centimetre of air.

Tiny, these fibres are—10,000,000 of them weigh less than one millionth of a gram. And there is no longer any reasonable doubt they can kill, or cause incurable disease.

This is asbestos, the miracle mineral with which so much of our modern civilization has been built, and which for millenia has been revered—but now feared.

Ancient historians, near the dawn of history, wrote of the "breathing sickness" that afflicted weavers who loomed the fibrous threads into shrouds for departed noblemen.

The Greeks, centuries before the Christian era, knew of the strange, fireproof properties of asbestos and used the silky mineral for making wicks for oil lamps that burned on altars dedicated to their Olympian gods.

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And long, long before, Stone Age man discovered that the fibres, when mixed with clay, held his simple pots together in a pliant bond.

But in spite of its versatility, asbestos seems generally to have fallen into disuse after the collapse of the Roman Empire, although Marco Polo in the 13th century reported he had seen a non-burning cloth in Siberia, and the emperor Charlemagne was said to have impressed visitors by throwing an asbestos tablecloth into the fire after a meal—to clean it.

Not until the end of the 1880s was the mineral rediscovered with the opening of mines in Italy and in Canada, the one at Thetford Mines in Quebec later proving to be the largest asbestos deposit in the world.

In the 1930s, world production still had not exceeded 340,000 tons annually, but the Second World War gave the industry its major impetus. Today, more than 5,000,000 tons are extracted annually.

Asbestos has, it seems, become indispensable. Aside from its most commonly known uses in fire-doors or theatre curtains, there are 3,000 other ways in which it is used: in cement; for shingles; roofing; siding; interior and exterior wallboard; electric motor casings; in sewer, water and gas pipes; for filters to process fruit juices, beer and medicines; for brake linings and clutch facings in cars and trucks; in rocket nose cones; as an additive in paints and caulking compounds, and even as artificial snow for Christmas decorations.

It's everywhere about us in our urban environment, whatever we do. And, inevitably, it's in the air we breathe, the water we drink, the food we eat. Worse, it's probably in everyone's lungs, too.

Medical authorities are agreed, however, that for all but a small minority of the population—asbestos workers and, sometimes, their families—the free-floating fibres probably cause little harm in the concentrations that we usually encounter.

But for the workers in the multi-faceted asbestos industry, it's another matter entirely. From the miners in the open-face pits, to employees in processing plants, to construction and other workers who must handle the finished products, there exists a chain of risk—people linked by a hazardous kinship whose rewards for their labour can be preternaturally shortened lives and grieving families.

Because the disease, asbestosis, and other related conditions caused by ingesting or inhaling the fibres, has been adequately recognized only in the past two decades, no one knows how many have fallen victim to the soft, insidious mineral.

Canada, as yet, has no legally enforceable standard—only guidelines

Dr. Joseph Cowle, head of the occupational chest diseases division of the Ontario Ministry of Health, says: "I doubt if in all the history of settlement in Ontario there have been more than 125 deaths caused by asbestos."

Death is one thing. Years of breath-shortened incapacity is another. No agency knows, least of all governments, beginning only now to move to initiate legislation to protect asbestos workers, how many men and their families are experiencing the early symptoms of the ancients' "breathing sickness."

Undoubtedly spurred on by union militancy, there now is growing widespread concern for the workers' health. In 1970, the United States enacted legislation that set maximum permissible dust levels at places of employment at 5 asbestos fibres per cubic centimetre of air. Britain already had lowered its standards to 2 fibres per cubic centimetre—and a body of medical opinion there is seeking to lower it still further.

Canada, as yet, has no legally enforceable standards—only guidelines: in Quebec, 5 fibres; in Ontario, 2 fibres. Federal environment minister Jeanne Sauvé told a House of Commons committee on April 8, however, that the Government will establish emission standards for asbestos plants before the end of the year. She said the federal Government cannot regulate the levels of asbestos pollution within mines and factories because this is a matter of industrial hygiene—and a provincial responsibility.

The standards for asbestos discharge into the outside air will be regulated under the Clean Air Act. Such statements, even one as gently positive, indicate there are a number of years of discussions ahead before workers can expect to be fully protected.

If union leaders and health authorities in North America can eventually settle on adequate safeguards, the greatest concentration of plant and manpower anywhere will be protected—because Canada is the world's leading producer of asbestos (more than 40 per cent of total output), and the United States, with more than 5,000,000 employed in asbestos-related industries, is the leading user.

But the mood of many workers in the industry today is one of almost quiet resignation. They complain that no matter how healthy their work environments become, it will be too late to protect them.

Just how lethal are the fibres? Dr. Irving J. Selikoff, chief of the division of environmental medicine at New York's Mount Sinai Hospital, calls asbestos a "time bomb," because the diseases it can cause may take 20 to 30 years to show up, sometimes half a lifetime after a worker began to inhale dangerous concentrations of the fibrous dust.

Selikoff, who shares with McGill University's Dr. Corbett McDonald the reputation as the foremost among researchers into asbestos-linked diseases, conducted a study in Paterson, N.J., in the early 1960s that set alarm bells ringing. He examined the health of retired employees, the death rates and causes of death of almost 300 men who had worked for Union Asbestos Co. in the 20 years prior to the start of the study. Actuarial tables, indicative of life expectancies, suggested that under normal conditions about 60 of the men should have died in the 20-year period. He found, in fact, that 113 had died—15 from asbestosis, the remainder from other diseases related to asbestos exposure.

Among the living, he found 28 lung cancers, where he might have statistically found two or three; 18 gastro-intestinal cancers, where two would have been normal; and 13 cases of mesothelioma, a form of cancer exceedingly rare among the general population. Selikoff determined that these men had developed their disorders in work areas where the asbestos dust levels were below 12 fibres per cubic centimetre.

Even a few days' exposure to the fibres... could lead to cancer that might show up from five to 55 years later

Later findings by Dr. Selikoff showed that even smaller concentrations of fibres could be lethal—far removed from conditions that plant workers might face. One of his studies revealed that a woman died from mesothelioma contracted by washing the clothing of her husband. He was a worker in an asbestos plant.

And a University of Toronto research team's findings, revealed in February, indicated the possibility that even a few days' exposure to the fibres in sufficient concentrations could lead to cancer of the larynx that might show

up from 5 to 55 years later. The team found that 23 per cent of the male laryngeal cancer patients at Toronto General Hospital in May of 1974 had been exposed to asbestos at some time in their lives. One among them had been exposed to asbestos for only four days—23 years before.

That report surfaced—via a New Democratic Party member in the Ontario Legislature—at a psychologically important time for workers growing vociferous in expressing their concern for their own health. For some days before, the news media had focused on the worker restiveness at the Johns-Manville Co. Ltd. plant in the Toronto suburb of Scarborough. There, a number of long-time workers had died from what a local of the Chemical Workers Union called "continuing unsafe conditions at the plant. All they (management) do is make promises they're improving the situation, but nothing ever changes."

The campaign, if such it was, eventually drew a response from Johns-Manville officials, who called a press conference to explain their side of the story. The company's medical officer announced: "The hazard is low and not a factor for concern now," after the company had spent several million dollars on filtration systems within the asbestos pipe-making plant.

Company president G.P. Loubert told the reporters that employees who now were suffering from the effects of long exposure to asbestos were those who began work "not less than 17 years ago, at which time the concentrations of asbestos fibres in the plant air were greater than now." The company admitted that eight deaths and up to 36 cases of disability were likely caused by conditions at the plant.

Union officials for weeks had presented the company, the press, the Workmen's Compensation Board and the Ontario Government with a different set of figures. The union claimed 15 former employees had died from asbestosis, while dozens of men suffering from lung cancer, mesothelioma, or asbestosis were being denied compensation that was their due.

Then came the University of Toronto report. A few days later, Dr. Selikoff told a U.S. Senate subcommittee he feared that by the end of this century, about 1,000,000 Americans will die because of exposure to asbestos. He predicted that about 200,000 will die of lung cancer, about 70,000 from asbestosis, another 150,000 from other cancers, and others from ailments associated with handling of the mineral.

A mood certainly was being created that made governments and asbestos companies somewhat more receptive to the workers' complaints. One of their chief gripes concerned the handling of blue asbestos.

About 30 different types of fibrous silicate are lumped together under the name asbestos: Chrysotile (white), crocidolite (blue), and amosite (brown) are the most important economically. But the fibres found to have the greatest bonding power are the long blue fibres, which come mostly from the African continent.

Workers at Johns-Manville in Scarborough had complained about the quantities of the blue fibres they were called upon to handle, and a company spokesman said the blue was being "phased out." A union spokesman charged, however, that the company was still importing the blue fibres in regular quantities and that it was being mixed with white fibres "to make it less obvious."

A month or so ago, the workers' viewpoint was echoed by the York-Toronto Tuberculosis and Respiratory Diseases Association, whose executive secretary, Walter Davis, said: "We are absolutely convinced that blue fibres are dynamite, the villain." Some authorities say the blue asbestos exposes workers to more than 10 times the danger of white fibres.

In noting the British had banned importation of blue fibres five years ago, Davis appealed to the provincial Government to follow suit. In reply, Ontario Health Minister Frank Miller said he was in favour of imposing a ban on the blue fibres "if it is found that its use is unnecessary." Dr. Cowle has said the blue fibres have the ability to penetrate the lining of the lungs causing the always fatal mesothelioma.

While this debate was taking place, Dr. Selikoff, or his associates at Mount Sinai, delivered an uppercut.

The team found that 75 per cent of workers with 40 years service in the asbestos industry had lungs damaged by asbestosis, cancer or other related diseases

The Confederation of National Trade Unions (CNTU) had spent $25,000 to commission a two-year study from the Mount Sinai team (which put up $100,000 from its own funds) to investigate the working conditions and health levels of the men who worked in Thetford Mines plants and pits.

The results were shocking. The team found that 75 per cent of workers with 40 years service in the asbestos industry had lungs damaged by asbestosis, cancer, or other related diseases. About 54 per cent of those who worked in the open pits had similar lung abnormalities; 72 per cent of those who worked underground, and 65 per cent of mill workers, showed pulmonary abnormalities. Dust levels in three mines were found to be as high as 30 to 50 fibres per cubic centimetre.

The CNTU, saying it had commissioned the study after a company clinic had suggested the dust concentrations were not harmful, then warned Asbestos Corp. Ltd. to "change its attitude" toward mine and mill safety or face a mass walkout. Coupling wage demands with improved safety standards, 3,500 workers struck four companies in the town March 16. That strike continues.

By April 8, the Quebec Government had announced plans to legislate safety standards governing dust levels in mines and mills; and it said it would also name a committee of specialists to study existing dust levels. Asbestos Corp. Ltd. announced it would comply with whatever the committee would demand. To these moves, the CNTU has expressed concern that dust levels that would be approved likely would be higher than allowed under the Ontario guidelines.

In the meantime, Ontario's asbestos workers were cheered when the Workmen's Compensation Board announced that lung cancer contracted by asbestos workers will now be regarded as a compensable disease.

Previously, workers or their widows and families had been eligible for compensation after long exposure to asbestos only if they had asbestosis, in addition to other pulmonary complications.

Labour Minister John MacBeth explained the new philosophy this way: "The balance of probability has shifted."

The announcement was greeted with pleasure by the NDP benches in the Ontario Legislature, and one member asked what the Government planned to do to help asbestos workers' family members who might contract pulmonary diseases. And the battle lines were drawn again.

To the workers, the gains are hard-won in a continuing battle, but they don't deny they are surely gaining ground.

If its use can be completely eliminated, many lives undoubtedly will be saved each year

To answer another concern, the Ontario Government announced recently the findings of tests conducted into the possible hazards faced by construction workers using drywall cement, which contains asbestos. Tests, it was reported, showed levels to be "well below the safety limits," but it was recognized that "a minimal danger exists in the use of drywall filler containing asbestos." Ontario safety inspectors have been told to enforce the wearing of protective respirators by workers using the substance, and manufacturers are being encouraged to seek substitute bonding materials.

And substitution is not unlikely throughout the construction industry—one day. Ontario Hydro, for example, has found the ultimate way to end the hazard posed by asbestos. It has stopped using it.

Ten years ago, Dr. Donald Grant, Hydro's director of health and safety, initiated a program to search for substitutes. It seemed a monumental, perhaps impossible, task at first because Hydro uses hundreds of tons of insulating material to prevent heat loss from huge boilers, turbines and superheated steam pipes. Grant set up two committees. One would devise stringent safety measures for men working with asbestos; the other would seek a suitable substitute that would have to be non-toxic, an excellent insulator, and be able to withstand temperatures as high as 1,000 degrees Fahrenheit (400 degrees Celsius) without breaking down under vibration.

Helped By British research, which had earlier trod the same path, Grant's committee found the answer in Canada—a rigid block substance compounded of bentonite clay, perlite (a form of volcanic glass) and diatomaceous earth, a variety of limestone. Another breakthrough came in the form of a spray-on insulation that uses mineral wool as a binder instead of asbestos. (Mineral or rock wool is produced from molten steel-mill slag.) Engineers claim that while the substitute materials initially cost about 10 per cent more than asbestos, they became cheaper as the quantities ordered increased.

Today, Grant believes, the substitute materials are competitive in price with asbestos, and the saving on safety procedures may eventually make it cheaper. We may now, in fact, be living at the beginning of the end of asbestos' not-so-glorious era.

If its use can be completely eliminated, many lives undoubtedly will be saved each year, misery stemmed, and a gasping disease eradicated to a large degree. But then there's the question of all those thousands of jobs.

Industrial Democracy On Probation

by Luana Parker

"What is astonishing is not that anyone should have the curious idea of democratizing business enterprises, but that frankly authoritarian managements should still be surviving on so widespread a scale in our supposedly open and free society. The unquestioned authority of any employer, the danger of sudden and arbitrary management decisions, the lack of any appeal against those decisions for most employees—all these factors are in obvious and direct conflict with the stated values of our society." David Jenkins, **Job Power**.

In the history of the bleach sulphite mill at Temiscaming, Québec, there have been three ways of dealing with drunks. Under the pre-1936 management dictatorship a drunk was simply ordered by the local magistrate—a company employee—to take the next train out of town. If he refused, the police quickly paid him a visit to change his mind. Then, in 1936, the union moved in, chiselling a little hide-out in the granite wall of absolute power. Like the church, it would cover up and absolve certain sins, forcing management to keep its disciplining ruler spanking clean. But in the past year and a half, a strangely new attitude has drifted across the shop floor: when someone stumbles inebriated to work, it is his fellow workers who point to the door—sending him home but not out of town.

Luana Parker is a general reporter with **The Gazette** *in Montreal.*

One more example of a new regime no one knows exactly how to describe: usually employees grumble "Look what they're doing to us" when they're scheduled to work holidays, but last December the Temiscaming workers were pleased to make repairs over Christmas. They were the same people who a year earlier had accepted a base rate about 47 cents below the industry standard and had given up their pension plan.

What happened? Did management turn to hypnosis to manipulate its employees? Had the workers given up their historic pursuit of rights? What they did was buy rather than bargain for new powers, giving them the right to two representatives on the board of directors (one of them not allowed to vote because of a provincial labour code stipulation that a union local representative cannot be a member of the board of directors), access to information long denied them, and a share in the profits. When Canadian International Paper Co. (CIP) suddenly pulled out in 1972, its employees were left saddled with a crippling load: their average age was 45, the nearest town was far away, the picture of job opportunities so dim you could hardly see it. So they lobbied and picketed (and manipulated the media a couple of times) and finally, about 400 of the workers formed a "marriage of necessity" (with the union as wife and mother) with four ex-CIP administrators. Each group invested $400,000, but the workers own only 31 per cent and the administrators, 39 per cent of the new company, Tembec Forest Products Inc.

The administrators had management "know-how," which apparently earned them extra control. And since it was

the provincial government that held the balance of power, a $1 million grant and $2.5 million in preferred shares, the union was in no position to bargain. And there was no model to turn to. As Charlie Carpenter, president of Local 233 of the Canadian Paperworkers' Union, says, "Co-management, there was no such animal in our country."

Like visitors looking at specimens bred in zoos, people are crowding to watch this new creature crawl, wondering whether it's the beginning of a new breed or just another experiment doomed to extinction. As Tembec and a few other Québec experiments in industrial democracy, or workers' control, test their muscles, the spectators are huddled in separate factions, deliberating: "Is this the end of free enterprise, the capitalist system? Will it knock out the union movement?" No one is placing bets yet, except for a cluster of missionaries who have visited other lands and returned with glowing reports of similar new species. Few have bothered to take them seriously.

The idea of industrial democracy—giving workers the same rights in the factory they theoretically enjoy in the political boxing ring—is as old as man's struggle to free himself from everything that makes him a prisoner, especially "the boss." They have been living the great contradiction—they are members of a democratic society, but submit to a dictatorship at work, as the Québec Federation of Labor (QFL) describes it.

There are many variations on the theme, but the reforms tried in several European countries have one point in common: they all involve the transfer of some decision-making power to employees. Employees have won the right to be consulted, or to partly shape their working lives on the basis of their labour, not ownership (which is the only platform Québec workers have to support their claims).

Company spokesmen who would defend "democracy" with a gun are opposed to equality in the factory

Workers' participation schemes have ranged from self-management, with full powers over all matters affecting the enterprise, to consultation through representatives on decision-making boards or minor league workers' councils. In Canada, the idea has been tossed in the air by the intellectuals and shelved by the labour movement, says former Ontario Federation of Labour public relations director, Morden Lazarus. Canadian union officials say industrial democracy can be achieved through the collective bargaining process—that (gradual) erosion of management's traditional rights. And company spokesmen who would defend "democracy" with a gun are opposed to equality in the factory. There is "democracy" and then there is "industrial democracy" and between the two stands an implacable row of helmeted business and government commanders, linked arm in arm.

But circumstances, more specifically, crises, have shifted the lines of defence in a few isolated corners of Québec. Here you find management types like Frank Dotorri, of Tembec, saying: "Right from Day One we knew the employees would have to participate in ownership—not because the union fought to save the mill, but because the workers would have to make a monetary concession. We had to be fair.

"We've had a horrendous problem starting, but it's going to work better. We're a unique balance between promoters, private enterprise and workers, with, in many cases, completely contradictory objectives.

"We're essentially three holding companies, each selfishly protecting its own interests. The adversary situation is a tradition in our industry and it takes a lot of adapting on both sides to get rid of the dividing line," says Dotorri, one of the four administators now called "founders."

It's erasing the "dividing" line that has traditionally stiffened the backs of North American union officials, who talk about workers and managers "sleeping in the same bed" when they share responsibility for decisions. They point out workers' representatives in Europe often have to share responsibility for decisions over which, in reality, they have no control. Their position on directors' boards is, like a bone thrown to a dog to stop his yapping, a token gesture.

Joe Morris, head of the two-million-member Canadian Labour Congress (CLC), looked at West Germany's workers' councils and economic committees—with equal employer-employee representation—and concluded the workers' reps. tend to become more interested in the company's problems than the workers'.

Integrated into the management team, they "sacrifice traditional worker positions." At Tembec, Dotorri suspects that if workers in the wood-supplying operation, who are not co-owners, go on strike, the 400 worker-owners at the mill will be "prone to a management position." And since, as owners, they have a stake in the mill's profits, what would be the point in going on strike? "A strike would defeat one of the major concepts of our organization—that by constant negotiation we can avoid black-and-white positions," says Dotorri.

But the union, its members' unemployment insurance exhausted, had no choice. It had to form a common front with the administrators against unemployment. When the national union suggested it could buy the mill with government assistance, Québec had replied: "You'd better find

marketing and management experts before we'll help."

Henry Lorrain, president of the 52,000-member Canadian Paperworkers' Union, recognizes the potential problem of the undermining of union solidarity if the suppliers strike. But, he says, "We are the company. We could exert our influence and say we don't want to deal with companies that don't treat their workers fairly. It is not a reason for us not to get involved in administration. We are members of a team, that doesn't make us a part of management."

Carpenter, furious at the constant queries about the "need for a union" at Tembec, says: "It's wrong to say we could never have a strike here. First of all, not everyone is a shareholder. And don't forget, the shareholders work in the mill and they're not just interested in money. They're interested in working conditions, too. It really makes me burn. Everyone forgets the workers are not motivated only by money. We tried for years, we threatened to strike for a proper ventilation system in the bleacher room. Now we're willing to take lower profits for better conditions.

"A brand new structure like ours wouldn't work if it wasn't already unionized. Nothing much has changed—we still have grievances, although they're more clear-cut now—but decisions aren't made unilaterally. They don't have to be made in corporate rooms across the border with only a balance sheet to look at.

"And we're more flexible. If we had a bad year, we could decide not to take our share of the profits (all 415 union members, whether they're co-owners or not, get 10 per cent of the profits, which came to $1,400 last year). We could sink back our dividends and not ask for a salary increase to keep the mill going."

Carpenter feels the old division between management and labour was perpetrated by the shareholders who "don't care how they get it, they just want more return on their buck." Management has to keep squeezing more productivity out of the workers for more profits to feed the ravenous shareholders. In each factory it's a vicious circle, only broken by strikes and ended by closures spilling the workers, losers again, onto already job-hungry streets.

More than any other reason, it is Québec's chronically high unemployment rate that has triggered the ownership and control schemes at Temiscaming, St. Jérôme, Cabano, Lac des Iles, Sherbrooke and the Saguenay area. The workers at the knitting mill in St. Jérôme, 25 miles north of Montreal, admit their decision to try to buy the 58-year-old factory—with the co-op movement or government as partner—was prompted by a practical compulsion, not political commitment. When the owner, Grover's Ltd., suddenly slammed the door last June after the employees demanded a cost of living salary adjustment (they had previously accepted lower wages in a collective effort to keep the mill operating), they didn't even bother to actively search for another job. Even the Unemployment Insurance Commission was sympathetic, deciding to feed them their cheques while they spent their energies on working to reopen the mill instead of hunting for jobs. The figures last September showed there were already about 3,000 unemployed persons in the St. Jérôme area, competing for only 300-500 jobs—most of them paying the minimum rate. The mill workers' average age was 43, their average seniority was 17 years. Last fall they ran a seven-week experiment without company managers or foremen, completing goods begun before the closure. The trial run was a success, and now, with a $51,000 Québec grant, they are renting the factory from Grover's—they've renamed it "Tricofil"—and elaborating permanent self-management structures.

"Maybe you need an even stronger union to continue self-management," says Aurelien Prevost, vice-president of the Canadian Textile Workers Union local. "There's always the risk five or six people will become the new boss. We have to avoid falling from one extreme to the other—self exploitation. And you always need a union to handle grievances and demands.

As worker-owners discovered, the transition to self-management isn't one quick, smooth slide

"We hope eventually everyone will get the same salary. For 20, 30 years, all we knew was our own department. There was no planning and a 10 per cent time loss because of all the supervisors and managers we had to go through. Now we're holding weekly and daily meetings and we're planning production."

As the 36 worker-owners at Sherbrooke Wood Products (SWP) discovered, the transition to self-management isn't one quick, smooth slide.

André Laurin, of Québec City, sometimes called the "missionary" of self-management in the 200-000-member Confederation of National Trade Unions (CNTU), recalls certain rules had to be established. The hockey-stick factory is run on a "one-man, one vote" basis through weekly general assembly meetings. But, even with only 36 people, there has to be some central co-ordination for day-to-day problems. "You have to have order. We have a president, manager and foremen—all elected. The problem was everyone thought, 'Now we're the boss, we can do anything.' It isn't so. The structure and general assembly have to be respected."

Laurin, an animator at SWP, is an ambitious proponent of self-

management. He's the architect of a legal aid corporation, a Reunited Workers' Savings Union ("the only Canadian bank with no manager—it's collectively run by 11 people and there are 4,000 owners") and a foundation called the Fond Economico-Social. In a couple of years, he predicts, it will have several million dollars to fund self-management projects, and he wants the 1976 CNTU convention to pass a resolution forcing employers to set aside a certain percentage of money to build up the foundation's assets. In France, he says, the bosses have to invest the equivalent of 1 per cent of the employees' salary in most firms, rising to 8 per cent in others.

Another CNTU-affiliated effort began in 1971 at Port Alfred, where 36 employees bought a medium-sized metal works firm from its retiring owner. Since then, with a work force of 125 people and a prosperous business, it has run into a similar problem of worker solidarity discussed at Tembec. A conflict between non-owners and part-owners erupted in a month-long strike last spring when the workers asked for a cost of living increase.

"The problem," says general manager Jean-Leon Desmeules, "boils down to the fact we've got 36 workers in there who own part of the business and 89 who don't. The best idea would have been to devise a formula whereby all workers could be part-owners." During the strike, 15 of the 36 co-owners defied union solidarity by reporting for work every day. Six of the seven workers on the board of directors had rocks thrown through their home windows, tires slashed and their cars smeared with paint.

A Cornell university study called *Toward a Fully Self-Managed Industrial Sector in the U.S.*, has pointed out one of the biggest reasons for the eventual degeneration of a participatory firm into a common stock company has been the hiring of "second-class" workers—those who don't participate in ownership or management.

Control, management and residual income-sharing power belong to those who work in a self-management working community in the very same sense that political self-determination belongs to a democratic political community. These rights are inherent in membership, not ownership of any kind, the study concluded. It showed how several plywood co-ops in the Pacific Northwest of the United States are in the process of being converted into Capitalist firms because, when the original worker-owners want to retire, they have to sell their shares—worth $30-$50,000—to Capitalist interests since the young workers can't afford to buy them.

At Steinberg's a job rotation and job-enlargement experiment has raised productivity by about 20 per cent

The employee-ownership formula at the radio station in Alma, Québec, has suffered similar changes. Of the 12 original owners, only eight remain, and station manager Lionel Tremblay says: "At the beginning, some of us had dreamed of the ideal company but as the years go by (they bought the station in 1972), it looks as though we're destined to become a company like all the others." When the co-owners leave the station, they sell their shares to those staying on. "It's impossible to force newcomers to buy shares left behind by those who leave, so eventually there will remain a handful of big owners," says Tremblay.

Harvey Transport Company, also in Alma, is trying to solve the problem by storing unpurchased shares in trust and allowing newcomers to pay cash for one share and buy the rest through payroll deductions.

There obviously seems to be a definite attempt by the unions to try to increase their control in Québec and they're gradually building a core of personnel more fluent in management jargon. The Québec government is finding it more and more difficult to have a standard negative reaction.

About four years ago the government allowed four people representing the workers, a farmers' and a credit union to sit on the board of directors of SOGEFOR, a subsidiary of the government's Québec General Economic Corporation (QGEC) which owned a Lac Des Isles wood-processing plant. After 15 months, the Québec Minister of Industry, Trade and Commerce, Guy St. Pierre, took a hatchet to the experiment, kicked the representatives out and proclaimed that co-management didn't work. He said the representatives, privy to information as directors but not as union members or wood suppliers, had broken "the seal of confidentiality" and were in an untenable conflict of interest situation.

But today, the government predicts co-management will work at Temiscaming and at Cabano, where the government is a partner in the construction and management of a $12.7 million cardboard factory.

St. Pierre's deputy minister, Robert Decoster, says the government hasn't changed its policy. In fact, it has no policy, he says, adding however: "We still respect ownership in Québec. We would not have gotten involved in Cabano if private enterprise had shown an interest and at Tembec we only stepped in after private enterprise stepped out.

"There may be merits in having workers involved in different ways—profit-sharing or co-ownership wherever possible. But we're a long way from that. It may be the best

way to reduce conflict with workers, but no one knows yet and we're certainly not working toward such a policy. We're still very much begging private enterprise," says Decoster.

A few companies, like Steinberg, Alcan and Supreme Aluminum Industries, have already started to test the idea that worker-participation schemes can reduce tensions, raise profits and possibly prevent strikes. At Steinberg's Montreal frozen-food warehouse, a job-rotation and job-enlargement experiment has raised productivity by about 20 per cent, reduced turnover from 18 per cent to "zero" and absenteeism from 20 to 2 per cent.

The Supreme Aluminum project at five plants in Ontario and Québec is responsible for the company's rise from fourth to first place in the cookware industry and its record of 50-years production without a single day lost because of strikes or lockouts, says company chairman Sheldon Lush. All of its 475 employees equally share half the profits, and one third of them own 48 per cent of the company.

In Arvida, two groups of Alcan Canada Products Ltd. employees work in teams, sharing all tasks, choosing their own co-ordinator to replace foremen, and holding weekly operation discussions.

It's projects like these the Québec unions are preparing a defence against, knowing they have to develop their own strategies to deal with problems, like boredom at work, that aren't solved through collective bargaining.

Studies in the United States have shown that workers tend to say their work fulfilment needs improvement more than their pay while union leaders say the opposite, concentrating on what seems more obtainable at the bargaining table—scoring points on the bread-and-butter issues.

An American Department of Labor survey on working conditions found workers, when asked what elements of work needed improvement most, ranked pay fifth on the list, after "interesting work"; "enough help, equipment to get the job done"; "enough information" and "enough authority". The sixth item they chose was "opportunity to develop my special abilities."

When union leaders were asked the same questions, they placed salary at the top of the list and job content at the bottom. The issue is not that the nature of work should replace higher income and job security as an area of concern, but that job satisfaction has been underemphasized by everyone—companies, unions, governments, and academics.

The 335,000-member Québec Federation of Labour (QFL) has written: "Ever since the bosses found out happiness relates to productivity, you can't count the number of studies done on job satisfaction. But unions are only beginning to get interested."

It underlines its belief that the "ultimate objective" of management-inspired participation projects hasn't changed. The methods of squeezing higher productivity out of the workers have become more civilized, but the workers are still helpless: all the important economic decisions relating to closures, layoffs, technological changes, or production transfers are still off limits.

But, it warns: "It won't be enough to resist modern boss tactics. We'll have to find our own strategies responding to the same needs of humanizing work conditions without assassinating the union. We'll have to see how far we can go when we're invited to share responsibility without being given access to real decisions".

When Ed Broadbent was New Democratic Party MP for Oshawa-Whitby in 1970, he wrote, "industrial democracy will probably develop as the question for the 1970s within both the trade unions and political parties of the left." Now,as parliamentary leader, he says Canadian unions must "deal with this question themselves, just as they dealt with more traditional and still-pressing labour problems. And until they think it's among the more pressing matters to be dealt with, it will remain Utopian... not become a serious matter for industrial relations."

It's not a Utopian idea in Québec anymore. Members of the CNTU are forming committees in factories, pooling information that for years has been dribbling into dead ends. The workers, after years of feeling their intelligence stripped away like bark off a tree, are discovering they're not so dumb after all.

And, as a group of employees near Montreal showed, they won't be willing to just accept management's declarations that the company will go out of business if it has to pay higher wages. When factory officials in Varennes threatened to close a plant because of workers' demands, the union men left the negotiation room and returned 15 minutes later with a chain and padlock, saying:

"Here, if you want to close, go ahead. We'll reopen it ourselves."

Organizing Women Workers

by Monica Townson

Canadian unions have not made great strides in organizing women workers, and yet there are many who believe that the problems of equal pay and equal opportunity could be successfully confronted if more women workers were unionized.

Recent numbers are hard to come by—the latest returns under the Corporations and Labour Unions Returns Act are for the year 1972. They show that in that year, 24 per cent of union members were women, compared with just over 16 per cent ten years earlier. But only 19.5 per cent of all women paid workers were union members, compared with 34.9 per cent of men workers who were unionized.

These percentages were even less than in 1971, when just under 23 per cent of women workers had been union members, compared with nearly 40 per cent of men workers who were unionized. The drop apparently resulted because unionization did not keep pace with the rapid growth in the labour force.

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Even in industries where there were more women workers than men, a higher proportion of the male workers were union members (see table).

The most obvious explanation for the fact that such a small percentage of women workers are unionized is the kind of work women do. Despite the tremendous surge of women onto the labour market—almost 40 per cent of working-age women are now working for pay outside the home—the percentage of them concentrated in low-paying, low-skilled jobs is higher than ever before.

In 1963, for example, 61.8 per cent of all working women were employed in clerical, sales and service jobs. Ten years later, the percentage had risen to 62.9. For clerical jobs alone, 30.2 per cent of working women were employed in these jobs in 1963. By 1973, 34 per cent of working women were doing clerical work. At latest count, in March this year, 74 per cent of all clerical workers were women, compared with 72 per cent only three years earlier.

The traditional "female" jobs have remained largely unorganized—at least until quite recently—and it is not easy to pinpoint the reason.

There are undoubtedly some who would argue that women's lack of

The extent of unionization

Industry	Women			Men		
	Paid workers	Union members	Union members as percentage of paid workers %	Paid workers	Union members	Union members as percentage of paid workers %
Agriculture	18,000	46	0.3	81,000	131	0.2
Manufacturing	485,000	148,559	30.6	1,501,000	629,997	42.0
Construction	28,000	1,102	3.9	462,000	259,906	56.3
Transportation, communications & other utilities	131,000	55,234	42.2	614,000	302,611	49.3
Trade	536,000	31,399	5.9	839,000	63,240	7.5
Services	1,320,000	251,135	19.0	847,000	178,687	21.1
Public Administration	177,000	84,202	47.6	436,000	252,958	58.0
Finance, insurance & real estate	240,000	1,719	0.7	184,000	2,766	1.5
All industries	2,945,000	575,584	19.5	5,160,000	1,801,617	34.9

Source: Statistics Canada, Corporations and Labour Unions Returns Act, Report for 1972, Part II Labour Unions.

interest in unions is a result of their supposedly tenuous attachment to the labour force. As if to prove the point, the Manpower Department recently released information from its yet unpublished study on the Canadian work ethic and job satisfaction, which appears to indicate that most working women are in the labour force because they do not have enough to occupy their time at home.

The entire study will not be available until later this year. But the three male journalists who received advance copies reported under headlines proclaiming "Women work to keep busy" and "Lure of the kitchen." According to these reports, only one woman out of five works in order to feed her family. Most working women, said these reports, work in order to keep busy, as a form of recreation, or to produce a nest egg.

It is hard to reconcile such results with data from the United States and from the Women's Bureau of the Canada Department of Labour, which indicate the contrary is true.

Until more details are available, the Manpower Department's survey methods must remain open to question. Results are apparently based on the reaction of respondents to various statements, such as "earning a good living is the most important thing to me." Since most working women must find it well nigh impossible to earn a "good living" at the kind of salaries they usually receive, their answers were no doubt coloured by their actual work experience.

It is frequently the wife's earnings that raise a family out of poverty

The U.S. Bureau of Labor Statistics released information in November last year that indicated it is frequently the wife's earnings that raise a family out of poverty. In husband-wife families in the U.S., 11 per cent have incomes below $4,000 a year if the wife does not work; when she does work, only 3 per cent have incomes below this level.

In Canada, 1972 statistics (the latest available) show that in husband-wife families where the wife is in the labour force and where there is at least one child under the age of 6, the husband's income is less than $10,000 a year in 68.3 per cent of families. Where there are no children under 6, but probably older children in the family, the husband earns less than $10,000 in 66.7 per cent of the families.

The contribution of these working mothers to family income is obvious from another set of figures. Where the wife works and there is at least one child in the family under 6 years of age, the average income of the husband is $8,916. But the average family income is $12,430. For families with no children under 6, where the wife works, the average income of the husband is $8,887 and the average family income is $13,874. The average family income where both husband and wife work was $11,691 in 1972.

But in husband-wife families where only the husband works, the average family income was only $9,602.

The U.S. study, referred to above, showed that of all women workers in the U.S., one out of ten is a family head, and among all poor families, more than two out of five are headed by women. There is no reason to believe that the Canadian experience is vastly different from this.

Women's lack of participation in unions more likely stems from other causes. A Cornell University study says barriers against women's involvement in labour unions can be grouped into three categories:

- personal-cultural—including extensive home responsibilities and lack of personal self-confidence;
- job-related—including discrimination by employers against union employees;
- union-related—including unfamiliarity with union procedures and a need for encouragement to participate.

Despite the increase in women membership in unions, says this study, few women hold governing and high appointive positions.

There is no doubt, says Mona-Josée Gagnon of the Québec Federation of Labour, that family responsibilities often keep women from participating in unions. Yet unions, says Ms. Gagnon, could play an important role in getting better salaries and benefits for women workers.

The QFL now has a women's committee that is collecting information on the position of women and what unions can do to help them. Interestingly enough, under Québec law, a woman worker still must have her husband's permission to become a member of a union.

The Canadian Labour Congress national committee on human rights issued a report on women's rights just over a year ago. According to its suggested plan of action, "the labour movement should reaffirm its support for equal opportunity and equal pay principles. All union contracts should contain clauses barring discrimination on grounds covered in ILO Convention 111" (which includes a ban on discrimination on grounds of sex and which has been ratified by Canada.)

Women union members face the same attitudes encountered by women workers in general

Unfortunately, statements by central union organizations cannot guarantee that rank and file union members will be equally enlightened. When it comes right down to it, women union members face the same attitudes encountered by women workers in general.

It is less than two years ago that trade union men were among those who booed and hissed when an NDP meeting narrowly passed a resolution that the status of women workers should be a subject for discussion.

Said Sylva Gelber, director of the Women's Bureau in the Canada Department of Labour, of the incident: "Such sentiments against fellow workers come ill from those whose struggle for existence was based on the slogan "Solidarity Forever."

But collective agreements are still being negotiated with separate pay scales for men and women workers. Local 630 of the United Rubber, Cork, Linoleum and Plastic Workers of America last year renewed a three-year contract with a firm in Granby, Québec, giving men hourly workers an increase of 45 cents an hour and women hourly workers an increase of 35 cents an hour.

The Service Employees' International Union, an AFL-CIO-CLC affiliate, renewed a contract for 18 months setting the basic female pay scale in the range $422-$456 a month and the basic male scale in the range $506-$540 a month. The Tobacco Workers' International Union negotiated separate female pay scales with two different tobacco companies last year. The Bakery and Confectionery Workers' International Union negotiated increases for general labourers (male), and the Retail Clerks' International Association negotiated for junior clerks (male).

And unions that negotiate percentage wage increases for their members are in fact widening the gap between male and female salaries.

The old attitudes are apparently slow to die. And working women might be forgiven for wondering whether they ever will die when no less a person than the Ontario Minister of Labour speaks out against equal pay.

John MacBeth is reported to have told the Brampton Rotary Club (April 14) that "society is not completely sold" on the concept of equal pay for equal work. According to Mr. MacBeth, "If we suddenly put in legislation and society is a long way from carrying it out, then we would have to classify everybody by nature of work and wage. It would cause an administrative nightmare and the bureaucracy no one wants to see."

Unions leaders, who are almost always men, may have other priorities. Elizabeth Fenton, secretary of the Canadian Telephone Employees' Association, which has a 50 per cent female membership, says that day care, for example, came up for the first time last year as a possible subject for collective bargaining, but it was dropped for lack of interest. The

CTEA, which bargains for craft and services employees (mostly men) and clerical employees (mostly women) as well as a small number of equipment sales people, has 14 full-time paid officers—seven men and seven women.

"The organization is set up to encourage women to take responsibility and make decisions," says Ms. Fenton. Often a woman who is elected a union representative at the local level will refuse a promotion in order to get more union experience. The women are willing to accept responsibility, says Ms. Fenton, and they are often "more pragmatic and practical in dealing with union business, while the men tend to get into philosophical arguments." Ms. Fenton believes that CTEA women can often be tougher than men when it comes to dealing with management.

But up until now, women have not generally made it into union management. In 1972 (the latest figures available for Canada) only 9.4 per cent of the 1,005 executive board members of all unions were women. This was even less than the year before, when women had been 11.1 per cent of 720 executive board members.

U.S. studies indicate that women are more often research directors or editors. And that where they do hold leadership roles, it is more likely to be at the local level than at the national level.

Women were better represented at the higher levels of professional and public service employee associations in the U.S. for both elected and appointed positions. In these unions, women accounted for about 60 per cent of the total membership. But of 24 unions with at least 50,000 women members in 1972, only 6 out of a total 187 officials were women. The 6 were found in these unions: The Amalgamated Clothing Workers, the Electrical Workers, the Ladies' Garment Workers', the Railway Clerks and the Textile Workers' Union, which had two. Of the 556 members of executive boards in these unions only 18 were women.

Economist Virginia Bergquist, formerly in the division of Industrial Relations at the U.S. Bureau of Labor Statistics, says that "this low level of women representation was evident throughout the entire labour movement."

Change may come more quickly in the United States now that the Equal Employment Opportunity Act has outlawed discrimination in employment and is compelling companies to institute "affirmative action" programs to increase their utilization of women workers.

But such laws and a heightened awareness among women workers here seem to be lagging behind the U.S. The Coalition of Labor Union Women, which brought together U.S. women union members to press for their special interests, is already a year old. The founding convention, held in Chicago in March last year, pledged to improve the lives of working women by becoming more active on women's issues within their unions.

CLUW is committed to encourage unions to be more aggressive in their efforts to organize women who are still not union members; to strengthen women's participation in unions, especially at the policy-making level; and to encourage unions to take positive action against sex discrimination in pay, hiring, job classification and promotion.

CLUW has apparently kept a low profile since its founding. But leaders met in January with George Meany, president of the AFL—CIO, to talk about objectives. According to Mr. Meany, "The fact that women are not in high places in the trade union movement is certainly not because of any undemocratic practices. It's just the way things happen today. I found, in my long experience," he says, "that women are very, very effective in the trade union movement at the local level. But when you move into the international (union) level, that involves problems that seem to prevent the women from moving up."

In Canada, the Canadian Union of Public Employees has launched a major program attacking sex discrimination within its own ranks and at the workplace. More than 40 per cent of CUPE's 200,000 members are women, and the program is the union's contribution to International Women's year. According to CUPE president Stan Little, "It's designed to promote the full participation of women as union members and to encourage unionists to eliminate the discrimination women face at work and in the community."

While the program is in operation, pamphlets and booklets will be published assessing CUPE's success in attacking sex discrimination, and outlining the achievements and

Photothèque

Almost 40% employed

Photothèque

Less than 20% unionized

difficulties of CUPE's women members. Audio-visual aids and other literature will be used in all CUPE conventions and seminars throughout 1975. And there will be a major workshop organized to help prepare CUPE's women members to be more effective in fighting for equality through collective bargaining.

When dealing with management, it is difficult to separate the problems of being a woman from the problems of being a nurse

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Says Grace Hartman, CUPE secretary-treasurer, "We think that the mechanism of collective bargaining can be used in all places of employment to win equal rights for all workers, but most particularly for women."

Shirley Carr, formerly a CUPE leader and the first woman to be elected to top office in the Canadian Labour Congress, believes that women are now becoming more aware that they should be active in the union movement, but she is concerned about the attitude of women in unions. "All too often, women are against women," she says.

There may be special problems in organizing women workers in an industry that employs women almost exclusively, as Marie Mullally, syndical consultant with United Nurses has found. United Nurses is one of three nursing unions in Québec, where only about half the practising registered nurses are unionized.

The union operates a closed shop at the hospitals where it is accredited. But, says Ms. Mullally, "It's hard to get members active in the union, and to take responsibility. The majority of nurses are really reluctant to make their problems known" she says. The basic reason, she thinks, is that the role of the nurse is very similar to the role women have been expected to play in society in general. The profession, too, has a long tradition of service and dedication.

Says Debra Robinson, also a syndical consultant with United Nurses, "The union tries to organize them as a group, but they're often reluctant to get involved. They feel their job at hospital level is very hard and they are indoctrinated to think they are there to help people and they shouldn't have problems." Ms. Robinson believes that management is well aware of this traditional attitude and takes advantage of it by being patronizing and paternalistic.

Younger nurses, who enter the hospitals direct from community colleges, are less willing to accept heavy work loads and poor salaries, Ms. Mullally believes. The union has a program of workshops and training programs, through its representative system in hospitals, to make nurses more aware of their position and to tell them what the union can do to help them.

As far as dealing with management is concerned Ms. Mullally believes it is difficult to separate the problems of being a woman from the problems of being a nurse. "The fact that it's a group of women dealing with management," she says, "makes it more difficult because women are not as prepared to face management in a worker-boss confrontation. Perhaps it's more difficult for a woman to face a male boss and express discontent with working conditions—but then male nurses may have this problem too," she concedes.

A change in attitudes is possible, at least in the opinion of Sylva Gelber. "The trade union movement in Canada must be persuaded honestly to accept a heavy responsibility toward the women workers of this land," she says. "It is incumbent upon its leadership, in the interest of all workers, to initiate programs designed to organize the unorganized sector of the labour force consisting of women and, at the same time, to embark on an educational campaign among its own rank and file to provide a hospitable environment for those women workers.

"The established trade unions must be prepared to change the present environment that permeates their ranks," says Ms. Gelber, "They must extend to women workers precisely the same trade union principles that the unions have traditionally extended to male workers."

Bob Cunningham

"Lifetime Employment" System in Japan

—Hiraki Miki
President, Nissan Automobile Co. (Canada) Ltd.

Lifetime employment in one company, salary by seniority, and management by consensus—common features of industrial and employee relations in Japan—were compared with North American models by Hiraki Miki, president of the Nissan Automobile Company (Canada) Ltd., at the Personnel Association of Toronto conference in April. Miki said Japanese-style industrial relations must be understood in the social context of the family, which is still the predominating social model in Japan.

"In Japan, an employee is very proud to have spent a lifetime with one company. This is in contrast to the North American tendency to brag about the number of jobs one has had with several employers in order to achieve promotion." He explained that the concept of "lifetime employment," in which it is almost unthinkable to fire an employee because it would be comparable to banishing a member of the family, gives rise to the "salary by seniority system" where length of time with the company is the major determinant of how much an employee earns.

Miki also explained "management by consensus," considered a unique feature of the Japanese industrial scene, in which a middle-management person who comes up with an idea, without the approval of his immediate supervisor, starts talking with his counterpart from another division in order to work out a complete plan of action for eventual presentation to top management. Miki contends that this system ensures that lower-level employees have a major say on how the company is run and that their

(Continued on page 356)

Bob Cunningham

Management Told: "Unions Are Your Adversary"

—Jules Justin
Director, Industrial Relations Workshop Seminars

Long-time advocate of "management rights" and author of *How to Manage with a Union*, Jules Justin outlined his theories of hard-line dealing with unions to the P.A.T. conference in April. Justin, a member of the United States National Academy of Arbitrators and the Labor Law Committee of the American Arbitration Association, told delegates that current militancy among unions is not from the rank and file union membership but from the dissident elements of the unions. He warned managers that "unions are your adversary" and said "management knows nothing about labour relations."

Justin characterizes management as "wanting to be nice, and wanting employees to be nice, "while failing to realize that "unions are loyal only to unions."

Now an industrial relations consultant in New York City, Justin is also a mediator-factfinder for the New York State Public Employment Relations Board. He was formerly an associate professor and director of the Industrial Relations Workshop of New York University, and served for more than 30 years as an arbitrator and chairman under collective bargaining agreements.

His stance on labour relations includes the tenet that "unions don't give management the right to manage, so management should ask for a retained rights clause where everything management doesn't grant is retained by the employer." Justin points out also that contracts not only give benefits to employees but also impose conditions of work, and

(Continued on page 356)

Bob Cunningham

"Collective Bargaining Unfairly Criticized"

—T.E. Armstrong
Chairman, Ontario Labour Relations Board

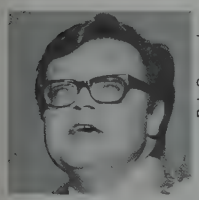
T.E. Armstrong, chairman of the Ontario Labour Relations Board, compares collective bargaining to "the hypochondriac continually taking his temperature, weighing himself, having his blood tested," and "a non-stop investigation with everyone giving tongue to the deficiencies and inadequacies of the system."

Armstrong, a lawyer who practised labour law on behalf of unions before his appointment last year as board chairman, admits there are weaknesses and deficiencies in collective bargaining, while also saying the system is "the victim of unfair and exaggerated criticism." He outlined the major sources of this criticism and gave reasons why collective bargaining is so heavily under fire in an address to delegates at the P.A.T.

"Much of the current criticism in Ontario is a spill-over from the public sector—civil servants, primary and secondary school teachers, community college instructors, and others—where true collective bargaining is a new and somewhat unfamiliar tool." Armstrong sees this unrest in public sector bargaining as a temporary phase of adjustment, however. "Not only are the combatants in these public areas relatively inexperienced in the techniques of bargaining, but the legislative framework in which they operate is still in the formative stages."

"When the thrust and direction of policy in these areas becomes clearer; when some of the legislative gaps have been filled; as the parties mature in their attitudes and techniques; when the shock of catch-up settlements in

(Continued on page 357)


Bob Cunningham

Employee Proft-Sharing Schemes Discourage Formation of Unions

—Dean Muncaster
President, Canadian Tire Corp.

To reduce the "threat of an employees' union" was among the reasons given by the president of Canadian Tire Corporation, Dean Muncaster, for businesses to implement employee profit-sharing schemes—financial rewards tied to job performance—and to give employees the opportunity to use all their capabilities on the job.

Muncaster, who is also a director of Ontario Hydro, National Trust Company, Canadian Pacific Hotels, Black and Decker Manufacturing, and the Retail Council of Ontario, advised delegates and top executives of Canadian companies attending the P.A.T. "presidents' luncheon" in April to clearly establish the objectives of a job, and the lines of authority, "then to leave the employee alone to do the job."

He also advised top-level executives to delegate as much authority as possible rather than to impose rules from the top, to minimize control procedures, and to maintain consultation and inquiry with the people who actually do the job, in order to obtain and maintain high work performance and foster employee loyalty.

Muncaster said he also favors more companies adopting the Canadian Tire approach to employee profit-sharing, which ties earnings to performance, a policy that leads to high motivation, he says, because employees have their own interests at heart in working hard for the company. He also said profit-sharing schemes have proved effective in reducing employee turnover. Muncaster told the gathering that the higher the level of satisfaction with the job, the less likelihood employees will want to join a union.

Birds of happiness don't fly over a swamp of hatred and dissension...

—Hiraki Miki

plans and opinions are considered at the highest levels.

Similarly, Miki says that company unions are fostered and respected, in contrast to the usual situation in North America, where the formation of a union follows a long and bitter struggle against management oppression, and where the management-union confrontation continues after the union is established.

In attempting to explain the usually harmonious union-management relations characteristic of Japan, Miki quoted the Nissan motto: "Birds of happiness do not fly over a swamp of hatred and dissension. Human accomplishment, in terms of knowledge and achievement, works only when humans work together. Mutual dependence and respect between management and labour is the key to success and is the pride of our company."

He further explained that in most companies top union officials hold monthly conferences with management on all aspects of company operations. This union-management consultative tradition is fostered by the fact that most Japanese union leaders are university graduates in business-related subjects, and they tend to "participate in all phases of company management rather than just demand their share of company profits."

Another feature of industrial Japan, where one third of its 36 million workers are unionized, is the annual "spring offensive" when unions ask for their wage increases. Miki contends that even during the recent cycle of inflation and other economic woes that have put the tradition of "lifetime employment" under severe stress, both Japanese unions and companies believe it is of mutual benefit to retain full employment and high standards in working conditions.

Miki bemoaned that the strong family ties that often characterize the personal lives of Canadian workers are only infrequently extended to the workplace.

"Medical certificates are fakes and frauds"

—Jules Justin

management must ensure that unions live up to their part of the contract.

He warned employers that oral reprimands have no value and that written reprimands and corrective discipline are keys to better work production. He also expressed the opinion that unions do not want pilferers, fighters, drunkards, and other troublemakers among their ranks but that they are obliged to defend them. Justin maintains that "99 per cent of employees respect their job and their supervisors, but they don't respect a supervisor who turns a blind eye to infractions." He told employers to apply all rules and regulations equally to all employees and that favouratism is a major failing in the eyes of the union.

He also told management not to be overly concerned with employee-initiated grievances because, "union shop stewards are not re-elected because they win grievances, only because they raise them... unions are like political parties...union shop stewards and committeemen deal in patronage the same way politicians do." Management should stick by the rules laid down in the contract, he said, because unions don't always want to win the grievance, "unions survive on the raising of grievances, not the winning of them."

In dealing with chronic absenteeism, Justin advises management not to accept doctors' certificates, which he terms "a fake and a fraud," without corroborating evidence. In these cases, he advocates having the employee fill in a form that asks such questions as, "were you confined at home during your absence from work?; did you leave home? if so, why?" Justin maintains that "95 per cent of employees won't lie in writing, but 95 per cent of doctors will lie on a doctor's certificate."

Among other suggestions to management personnel, extracted from his more than 1,000 pages of published text on dealing with unions, was the admonition to "never consult with a union on any matter not specified in a contract" and "avoid joint committees of any type including safety committees or joint evaluations because they just don't work."

"People contend trade unions and employees ignore labour relations laws with impunity"

—T.E. Armstrong

the public sector subsides; and when... the public sector learns how to adjust to collective bargaining, perhaps the Jeremiah chorus will subside and it will be seen that collective bargaining is alive and well and may even work in the public sector."

He expressed concern also about the public's generally negative feelings about collective bargaining because it feels there is a breakdown in the rule of law in labour relations. "People contend trade unions and employees can and do ignore labour relations laws with impunity and the state is powerless to enforce compliance." Armstrong was quick to deny that Ontario unions are prone to defiance of the law in their strike and other actions, by pointing out that the main source of complaint in this area has been in the public sector, where there is strike-prohibiting legislation.

"Hospital employees and government workers have threatened mass defiance of anti-strike legislation to achieve economic gains that some thought were unjustified and that most predicted were unobtainable."

He admitted, however, that "this politicization of bargaining process is a fairly recent and troublesome phenomenon. The press—perhaps accurately reflecting public perception—is critical of settlements achieved in response to what is characterized editorially as extortion bargaining."

Though proclaiming that, "solutions to these problems in the public sector are urgently required," he asked whether it was fair to criticize bargaining in the private sector on similar grounds where the "extortion technique" of mass defiance of anti-strike legislation is not available.

While acknowledging that in 1974 Canada lost a record number of man-days through strikes, Armstrong suggested that note be taken also of the more encouraging but less well-publicized statistic showing that from 1967-1974 only 5.7 per cent of collective agreement disputes in the private sector resulted in strikes or lockouts.

He warned, however, that the public must be resigned to the fact that "the strike is a feature of our industrial landscape" and can best be described as "an environmental inconvenience."

Armstrong said most illegal or wildcat work stoppages last year were in cases where a relatively long-term contract was in effect and had been negotiated before the latest inflationary period, but that employers were within their legal rights in refusing to consider mid-contract wage increases.

Although not justifying the actions of unions involved in such wildcat work stoppages, Armstrong noted that "unusual economic pressures were operating—to which many employers responded voluntarily. So I do not believe that it can fairly be said that the 1974 experience constitutes reliable evidence of any permanent attitudinal changes in the private sector towards the law and its observances."

Armstrong said he upholds existing regulations in the private sector for terminating illegal work stoppages. Under provisions of the Ontario Labour Relations Act, the Labour Relations Board issues an illegal-strike declaration and after a request by the employer, issues a consent to prosecute in the provincial courts. He assured employers "there is every indication that the strike declaration continues to be an effective deterrent. Of the 68 applications for illegal-strike declarations in 1974, 41 were withdrawn before the hearing because the striking employees had returned to work.

"This is a conclusive indication that the threat of formal adjudication achieved its purpose and induced the offenders to resume work...this casts some doubt on the theme of those critics who say that the law and its enforcement agencies have lost all authority." Armstrong also came out strongly against the notion that recent levels of settlements in the private sector have been major contributors to inflation.

"I suggest that the system of free collective bargaining should not necessarily be treated as the sole scapegoat. There are unusual and disturbing pressures in 1975...which if they become intolerable may in time lead to a re-examination of many of our free-market techniques. In any such re-examination, the resilience, adaptability, and historical successes of collective bargaining should not be forgotten or underestimated."

He also defended the Ontario conciliation system, saying that "alternatives in other jurisdictions have not been encouraging." He termed "a failure" the British Columbia Mediation Commission Act, which he said is the closest any Canadian jurisdiction has come to forcing the resolution of bargaining disputes in the private sector into an adversary, labour-court setting. While expressing skepticism about the value of the Mediation

Commission, Armstrong voiced support, however, for greater third-party intrusion in the process at a "much earlier stage" than compulsory arbitration.

He further suggested that in critical, dispute-prone industries, there is particular need for a skilled mediator much earlier in the process. "Under the Ontario Labour Relations Act, conciliation is now available only following direct negotiations and not earlier than 90 days prior to the termination of the agreement; typically...it is applied for much closer to the termination date of the agreement. At that point, positions have been rigidly polarized, membership expectations have often been unrealistically aroused and, not infrequently, personal antagonisms between members of the negotiating committees have arisen without the aid and modifying influence of an experienced conciliator."

Armstrong further pursued the implications of tripartite involvement of government, management and labour in the dispute settlement process: "Could not senior, respected leaders of labour and management be co-opted by the government to act as a disputes advisory committee...persons who because of their stature, could deal candidly with the bargaining parties, explain to them the hazards of their positions and offer frank, constructive and acceptable advice on how to break the impasse.

"This concept, if used cautiously and selectively and not as a substitute for the voluntarism that is the major strength of free collective bargaining, might be built upon the hope of moderating some of the undesirable features of the adversary process."

He also came out strongly in favor of the establishment of a pre-hearing conference for Ontario labour disputes in which "the hearing panel convenes a meeting of all parties prior to the calling of evidence, to explore with them the ambit of their dispute, to see if there are facts that can be agreed upon."

Armstrong noted also the continuing controversy over Ontario's rule that 65 per cent of employees must support an application for certification as a union bargaining agent, where as in several other provinces a simple majority is sufficient.

Although he said it was difficult to obtain any conclusive confirmation that Ontario's certification requirements are "restrictive" or "punitive," Armstrong noted that some critics feel that no single factor has contributed more to trade union dissatisfaction with the operations of the Ontario Labour Relations Board in recent years than the increase, in 1971, in the percentage requirement for outright certification to 65 per cent.

He says that proponents of British Columbia's system claim that certification should be seen as a licence to bargain and accordingly it should be issued on evidence of majority support, whereas the underlying premise of the Ontario 65-per-cent rule is quite different in that it reflects a belief that there needs to be some margin for error.

In defence of the Ontario system, he said that some of the membership cards may not represent the authentic wishes of the members and that something more than a simple majority is necessary to ensure that the bargaining agent has a true mandate. He pointed out also that when Ontario raised its level to 65 per cent in 1971, it made very little difference to either the volume or the success rate of certifications.

Nevertheless, Armstrong indicated some support for the simple majority system when he said, "...trade unions, with whatever difficulty and lingering resentment, have more or less accommodated themselves to the new higher percentage. This resentment still lingers and I think it may legitimately be asked whether there is at stake a matter of principle sufficiently important to justify perpetuating the irritant and absorbing the considerable resentment." He noted also that Ontario, with a considerable concentration of Canada's skilled manpower, has the poorest success record in organizing unions, with only 29 per cent of the labour force unionized compared with 43.9 per cent in British Columbia. Similarly, he noted that only 67 per cent of applications filed in Ontario last year resulted in certification compared with 89 per cent in British Columbia.

Armstrong also admitted "some frustration at the passive role that the board must play, a passivity dictated in part by the legislation, in part by the rules of natural justice relating to the conduct of hearings, and in part by the weight of tradition...which has seen the board as having a limited conciliatory or problem-solving function."

Nevertheless, he said, "even under existing legislation I believe that it is possible for us to make greater and more effective use of our field staff in a mediating role: for example, in the resolution of differences on bargaining unit descriptions and in the settlement of unfair labour practice complaints."

McGill IR Conference

Collective Bargaining In Economic Uncertainty

by Roy LaBerge

Collective Bargaining in Economic Uncertainty, the theme of the 24th annual conference of the McGill University Industrial Relations Centre, April 16-18, could not have been more timely. The 115 participants—from government, management, labour and universities—heard the current economic uncertainty spelled out by speaker after speaker: a combination of high unemployment, unchecked inflation, lagging productivity, and a near stoppage in economic growth.

Most agreed with Carl E. Beigie, executive director of the C. D. Howe Research Institute, that there would be no economic upturn until 1976 at least, and that high unemployment would continue long after any recovery came.

A former editor of **Canadian Labour,** *Roy LaBerge teaches social science at Algonquin College, Ottawa.*

Thomas Studio

Frances Bairstow, director of the McGill centre, said economic uncertainty had placed tremendous pressure on the collective bargaining process: Canada had lost more than nine million work days through strikes last year, largely because of inflation. This year, contracts covering more than a million workers are up for renewal, and unions are seeking higher than usual increases both to catch up and to protect their members from further inflation.

The conference opened just six days after Finance Minister Turner had outlined to the provincial premiers the federal Government's hopes for a national consensus on a voluntary program of economic restraints that would include general acceptance of targets to slow inflation to acceptable levels.

The federal proposal came in for strong criticism from some of the conference participants.

The opening speaker, Dian Cohen, an economist who writes for *The Montreal Star* and *The Toronto Star*, said voluntary restraints would not be effective because people had no assurance that others would also practise restraint. She added that

Ballard & Jarrett

Crispo

Eberlee

even mandatory restraints would not be effective because they required broad public support, and Canadian voters had rejected them in the last federal election.

And on the closing day, Dr. John Crispo, dean of the University of Toronto's faculty of management studies, expressed this blunt opinion: "I don't believe in this consensus stuff. The unions will have a split personality and a public relations problem. If they don't go along with it they're damned; if they do go along, and they can't deliver, they're going to get mud on their face. I hope they have the courage to stand up and say: 'That isn't the way'."

However, Tom Eberlee, the federal deputy minister of labour, said it was unfortunate to start passing that judgment before the parties who had been dealing with the government had made up their minds.

"In fact, to create a climate in which there might be a belief that the effort would not succeed is perhaps a positive disservice to the whole exercise," Eberlee added.

"There is a conscious determination this time around to carry on the discussions in a rational way, a quiet way, without backing the trade union movement into a corner."

This contrasted with the attempts of the Prices and Incomes Commission in 1970 "when the government came out with bands playing and banners flying, and the natural result of the whole exercise was that the thing didn't work."

"I don't believe in this consensus stuff. The unions will have a split personality and a public relations problem"

Mrs. Bairstow spelled out two specific industrial-relations questions the conference was trying to answer: "How does management plan an approach to negotiations with its employees in such an uncertain economic climate? And how does a union leadership do the best job possible for its members without jeopardizing the continuing profit position of the company or the tax position of a government employer?"

R. J. Bilodeau, chairman of Honeywell Limited, said such uncertain times imposed a need for more careful planning: a complete, formal review of company strategy, followed by the development of a broad set of options to match possible changes in conditions. He added: "We must always think in terms of things that could change our plans, and prudence demands that we be equally prepared for the worst or for the best."

When it appears necessary to lay off some employees, "we must be careful to introduce into the cost-benefit balance the loss of flexibility and fast response that results from such layoffs. A skilled employee, once laid off, may be gone forever."

Bilodeau said employees resented being considered "pawns in a huge game of chess," in which management behaves "capriciously." Hence, in planning, "it is evident that we must do everything possible to retain the trust and confidence of employees, and the best way of doing that is by 'squaring' and communicating properly with them".

Edward E. Seymour of the Textile Workers of America, said the textile industry faced a crisis in 1950 because of a substantial increase in imports. Plants were shut down and thousands of jobs lost. Nevertheless, the textile unions vigorously opposed company proposals to cut wages and increase workloads, "and the stand we took at that time resulted in a more efficient textile industry."

Seymour said many industries, including auto, steel and chemical, were now experiencing conditions to which the textile industry had long been accustomed.

Cost of living allowances (COLA), while found to have some merits,

were rejected as a "total and easy" solution to collective bargaining in economic uncertainty. Management participants complained that they tied companies to sometimes unpredictable costs. Union spokesmen criticized them on the grounds that they were tied to the consumer price index, which, the unionists felt, did not measure living costs accurately. Some COLA clauses were "capped" with maximum increases, and pressure was sometimes exerted on workers to accept only the COLA increases, which meant no improvement at all in their standard of living.

"We're in a mess in collective bargaining, but ... it is sort of a mirror image of what's going on in society"

Jaffray Wilkins, director of the federal government's pay research bureau, said he found a great deal of confusion throughout the country about the advantages and disadvantages of COLA clauses to both employers and employees.

The participants also considered the growing problem of membership rejection of tentative agreements, "an ever-present ghost at the bargaining table."

There was little statistical information available on ratification votes, but Eberlee reported that in industries under federal jurisdiction, 23.9 per cent of tentative agreements arranged during the conciliation stage were rejected by union memberships last year. He said, however, that this was not necessarily indicative of the whole Canadian experience. Federal jurisdiction covered less than 10 per cent of all collective bargaining in Canada, and his department's study covered only cases receiving conciliation services.

He said more research was needed, and he hoped a co-operative federal-provincial effort could be arranged to identify the rate, incidence and causes of rejection.

Very few unions in Canada now vest full power to conclude an agreement in a negotiating team. In most, membership acceptance is mandatory.

Eberlee described ratification as an integral part of a collective bargaining system "based on the idea that people should have a say, through leaders and representatives, but also directly, in the determination of their working conditions".

Although the consequences of membership rejection had "perilous implications" for collective bargaining, Eberlee did not believe the time had come for legislated approaches to the problem: "I believe it is still something the unions themselves should cope with."

The current trend of settlement rejections was only another aspect of labour-management relations in a period "greatly agitated by a bewildering complex of economic and social factors." The ratification problem "was not a very major factor in creating the difficulty."

André Ferlatte, a vice-president of the Canadian Paperworkers Union, said that to call into question the right for membership ratification was comparable to removing the right and the need for approval of the agreement on management's side by senior company or government officials.

A great deal of confusion throughout the country about the advantages and disadvantages of COLA clauses

However, what Ferlatte described as a "democratic union process," at least one management representative described as "anarchy." H. F. Allison of the Canadian International Paper Company said negotiators should come to the table with a mandate to negotiate an agreement "without having to go back and submit it to a mob."

Other conference speakers included Professor Shirley Goldenberg of the McGill centre, who described the unique situation of government as employer; Richard Prosten of the AFL-CIO's Industrial Union Department, who discussed problems in the use of comparative data in negotiations, especially in multinational corporations; Paul Malles, an economic consultant with the Economic Council of Canada study of the labour market, who spoke on productivity as a subject for collective bargaining; and Dr. Arnold Weber, provost of Carnegie Institute of Technology, whose predictions for the U.S. economy were as gloomy as those given by Canadian speakers for this country.

Crispo summed up the feelings of many of the participants with this observation: "I see a lot of gloom and doom around, but I refuse to believe we're down and out. We're in a mess in collective bargaining, but I keep reminding myself that it is sort of a mirror image of what's going on in society."

An Interview with Stanley Hartt

by Ted Weinstein

A labour lawyer's views on the conciliation process

You can talk about the weather but you can't do anything about it. The same may hold true about industrial relations, a topic threatening to replace weather as today's No. 1 subject of conversation and surprises. Industrial relations and weather are similar in several respects: both are unpredictable, both can run to extremes, both can change very quickly. And both tend to occupy a great deal of the time and attention of the people they affect—usually just about everyone.

Stanley Hartt is a Montreal lawyer who has given a great deal of thought to labour problems. A labour lawyer for 10 years, he has had varied experience in the complex world of industrial relations. He has arbitrated rights disputes, he has conciliated and mediated interest disputes, he is outspoken in his criticism of the current industrial relations climate and system. And he has his own ideas on how industrial relations in Canada can be improved.

Ted Weinstein, a frequent contributor to **The Labour Gazette,** *is Editor of* **Teamwork in Industry,** *a Labour Canada publication.*

"Instead of collective bargaining, we are tending more and more to crisis bargaining," Hartt said in a recent interview. "This is a question of strategy: how to get more out of the bargaining process, how one party can get a settlement closer to its end of the range of possible settlements.

"The tactic on the part of both union and management seems to be that in direct negotiations, meaningful concessions are withheld. Each party forms its own ideas about where it wants to go, but it doesn't tell the other party. Neither side uses conciliators or mediators properly, that is confiding in them or allowing them to use information they have been given. What happens is that both sides reveal nothing, make no offers, make no concessions—stonewall right down to the last minute, hoping that everything will fall into place, with concession begetting concession so that there is a deal. The trouble is, both parties play the same game."

What has brought about crisis bargaining? In Hartt's opinion, it has been occurring over the past five to seven years, but "it's really getting serious now."

When the idea for a conciliation board was first devised—federally in 1907, provincially some years later—its purpose was to focus the glare of publicity on the party that was stubbornly holding up settlement, contends Hartt. Now the federal and the various provincial departments of labour have been undermining the usefulness of the conciliation board by leading the negotiating parties to believe that they don't have to make

concessions in direct talks, or even before the conciliation board or a mediator.

"The parties can afford to withhold concessions for a later stage because there is a later stage," Hartt asserts. "In 1907, when Mackenzie King drafted the Industrial Disputes Investigation Act, there was no later stage—the parties either settled at the conciliation stage or they took the consequences: bad publicity, strikes, economic losses. Now, when a board report is rejected as the basis of settlement, the labour minister or one of his high officials intervene.

"This process of adding stages upon stages flatters the negotiating parties," Hartt continues. "There are some unions, whose power would otherwise be negligible, who are flattered by the stage at which they settle their disputes, and by the concern that the federal or provincial department of labour shows them. Governments, by leading the parties to believe there will be further stages, induce them not to use the conciliation process at the stage it was meant to be used. And this 'lame-ducks' the conciliation board."

Hartt thinks this trend can't be reversed overnight. It will take conditioning similar to the conditioning that it took for the parties to stonewall and withhold concessions. "Pavlov's dog has to learn not to salivate at the sound of the bell".

Labour departments cannot announce one day that there will be no more intervention, Hartt says, because the result will be long strikes. There will be criticism of non-intervention. What is needed is a long-run policy aimed at gearing down the tendency to add extra stages to the bargaining process.

"If I were minister of labour, I would make a policy speech at an appropriate forum, such as a federation of labour convention, and say crisis bargaining is the fault of both parties. But the Department of Labour has been encouraging this by catering to both sides and stroking their egos through the addition of non-statutory stages in collective bargaining.

"I would tell them that this is going to stop. When a particular test case arises, where the strike would hurt the parties involved more than the public, the parties would be told that if they don't settle after efforts at conciliation and the release of the conciliation report, there will be no further intervention. The parties will take the consequence of not using the tools of intervention that the law provides.

"There are some unions, whose power would otherwise be negligible, who are flattered by the stage at which they settle their disputes"

"This way, as minister of labour, I would be able to attend to my department, drafting policy, appearing in the legislature or the House of Commons, and not working myself into a state of nervous tension. In this way, I would allow the people who are able to do the conciliation work to do it.

In Hartt's view, back-to-work legislation induces the same psychological reasoning process. In every dispute there is always one party that feels it has gone the limit, and its offer is fair by any standard. This party thinks it cannot be hurt by back-to-work legislation. And a government cannot pass legislation the day after a strike begins because it would appear to be anti-labour, strikebreaking, or not allowing the system to work.

In a situation like this, maintains Hartt, a labour minister stands up and says he is in favour of collective bargaining and not in favour of legislation "at this time". But after a strike of several weeks, the "at this time" becomes less pronounced, and there is a threat of impending legislation. Legislation is then introduced and passed.

"But before a labour minister can intervene, there has to be enough of a public outcry to justify the legislation. The net result is that if one party is waiting for the legislation—because that's the way these types of crises are settled—it is forced to wait the minimum length of time needed to generate the public outcry justifying political intervention. Before a settlement can occur, a strike becomes inevitable and there is no progress while people are waiting for the legislation. Instead of preventing strikes, such a process lengthens them.

"Again, as labour minister, I would pick my case and announce there will be no legislation, period. You see, the union leaders and the company negotiators would much rather say to their principals that they were fighting, they were tough, but the government, or the minister of labour, or the arbitrator, intervened. Back-to-work legislation is a political crutch for bargainers who should be made to take their responsibility and make a deal, go back to their principals and say they did agree to the settlement and it should be ratified. And even put their jobs on the line. Negotiators should be put in the position of thinking "deal" and concessions, not avoiding concessions.

Two themes Hartt repeats and stresses are concession and psychology. In his view, the two are interdependent: negotiating parties cannot agree on a settlement unless they concede, and to concede, they must be thinking concession.

"Multi-million dollar commercial contracts can be completed in two or three days of hard bargaining," he

notes. "But there seems to be a feeling that labour bargaining is special, that when two parties sit down and negotiate they have to behave differently than if they were negotiating some other kind of agreement. One reason for this is that the parties think justification, not concession. They have to justify their position to a third party—a conciliator or a mediator. If I want to buy a company and there is a third party in the room to whom I must justify my offer, my whole frame of mind is different than if I were negotiating with the selling party alone. In the latter, I would not have to justify my offer. We would be negotiating, we would be bargaining and thinking concession, and our psychological outlooks would be different."

A conciliation board is the third party in labour-management negotiations, says Hartt. It hears briefs and presentations that justify positions. Then the board has to bring the parties together. But the board first has to change their psychology.

"You have to take each party separately into a room and say. 'O.K., I've just read your brief and it's logical and each demand has been justified. But if you stick to it, you know we're not going to get an agreement because we've also read the other brief and we know how far apart you are. Now where are you really?'

"A conciliator has to get the parties to give him concessions he can use in reaching an agreement. Maybe the concessions are for his ears only, maybe they can be used to determine where an area of agreement lies. But getting parties to confide in the conciliator after they have justified their positions—when they know that there's going to be a report at the end—leads them to tell the conciliator: 'Look, I'd rather you just write a report on my brief. If I give you concessions, you have to use them in the report, so the range of possible settlements is biased against me.' The conciliation board gives the pretence that there is something to decide, that there is a right and a wrong, and this induces the two parties to think in terms of justification: they explain their positions, support them with statistics, justify them, defend them, but don't give them up. They have to ask themselves whether they are being realistic, reasonable, instead of telling the third party, 'Here's why I'm right, here's why I deserve a 100 per cent increase in a one-year contract'."

"Governments, by leading the parties to believe there will be further stages, induce them not to use the conciliation process at the stage it was meant to be used"

To improve the conciliation and third-party stage, Hartt suggests several alternatives. In addition to making conciliation the last stage before a strike, he would eliminate any pretence of conciliators' adjudicating the dispute. This could be accomplished by the abolition of the conciliation report. Some provinces have eliminated the conciliation board and have replaced it by a conciliation stage without a report. "The board chairman has two incompatible roles," Hartt asserts. "He's an adjudicator who hears submissions justified on fact and reason, and then before writing his report, he tries to knock together the heads of the parties in an attempt to get a settlement. When the parties are in one process, they know the other one is coming, and when they are in the second process, they know the report is hanging over their heads, and they still justify instead of concede.

"I think the report itself is a fraud, because I don't think any conciliation board chairman really renders an award on anything but where he believes the ultimate settlement should be. He justifies the award later. If the chairman is being honest, he comes up with a number he thinks will work, and he hopes the parties will take it for whatever reason."

Another bargaining improvement Hartt suggests is having the right to strike accrue from the date the contract expires, so that each party has a fixed date on which negotiations end and the right to strike begins. In his view, some employers find it in their interest to influence a strike date, so they delay procedures. They find something such as the union security clause difficult to comprehend, so they spend weeks sending it back and forth to lawyers.

"Any fool can say no and multiply or divide by two," notes Hartt. "The talent in negotiating is in the parties thinking how they can make a deal or be creative, how they can avoid strikes and what concessions they can make."

Social Justice: Still A Distant Goal

by Kalmen Kaplansky

Much has been achieved in Canada during the past years in defining and promoting the legal infrastructure for human rights. Central to the whole issue, however, is whether we have achieved meaningful social changes in Canada through changed employment and income patterns, and enhanced employment opportunities at all levels. In short, I share with many an uneasy feeling that we have moved very little toward the goal of universal social justice.

More than 30 years after the first human rights Act in Canada, more than 25 years after the founding of the first labour committee for human rights, it is time to take stock and to make a serious critical assessment of past achievements and future needs. It should tell us much about, among other things, the uses and limits of the law in seeking social justice.

The experience of the first 30 years has given us most of the legal and administration tools that we then thought were needed to achieve a more egalitarian society. That same experience, however, gives little assurance that the tools are or will be used effectively. It has revealed the inherent limitations of all laws. Moreover, it has exposed a host of frequently unexpected administrative and attitudinal constraints that tend to distort the intended effects of legislation as an active and positive agent for social change.

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The next decade will tell us whether we can make the goal of equal opportunity in employment a meaningful reality. Without meaningful employment and economic opportunities there can be no solution to the social problems of our times. Is it a practical proposition? I am convinced that substantial growth in minority and female employment opportunities is not only practical but that it would trigger off through our society an infusion of enhanced income, of dignity and of mobility for the beneficiaries, their families and the group of which they are a part. It could start for the first time not only a truly radical, but also a peaceful transformation of our entire social fabric.

We have moved very little toward the goal of universal social justice

Consequently, there remains one major conceptual legal problem that must be further explored if we are to achieve meaningful progress. This is the problem of equality of opportunity as distinct from equality under the

law. Linked to this is the contentious issue of the use of numerical standards (variously called goals or quotas) for participation by minorities and women in employment opportunities. The history of the period 1951 to 1975 makes it clear that the use of numerical or indicative goals may now become necessary if there is to be significant improvement in the employment opportunities of these groups. Milder medicine does not seem to work. The compensatory employment approach seeks to ensure equality of treatment by stressing genuine equality of opportunity. It endeavours both to take into realistic account the cultural, physical, educational and financial drawbacks and disabilities that tend to entrap disadvantaged groups in vicious circles of poverty and despair, and to help devise ameliorative techniques with which to extricate them from this syndrome.

The objective of human rights laws and practice should be a more egalitarian society

In other words, compensatory, positive or affirmative employment techniques are employment policies that seek to overcome the traditional lack of qualifications that disadvantaged people bring to the labour market, by helping them, through the introduction of certain well-defined "compensatory" measures, to achieve equality of opportunity for jobs and positions. While a compensatory employment system recognizes that "all men are created equal" it does not accept that all men are born with equal opportunity for advancement and employment.

Current protective laws in Canada were conceived at a time when we still had in our law books restrictive covenants, explicit prohibitions against

Photothèque

Genuine equality of opportunity needed

entire groups, exclusions based on race, ethnicity, religion, and sex. These had to be removed, and the laws accomplished this task. The definition of "discrimination" in ILO Convention No. 111 is a model of this earlier approach: "For the purpose of this Convention the term 'discrimination' includes...any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin that has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation;..." These laws met the concern of my generation of liberals, who wanted the law to be "colour-blind," so as to protect the visible minorities against the excesses of the majority. We failed to realize then, however, that a person's colour or race, or family background of poverty, do affect in many ways that person's ability to compete with others who are more fortunate for the available economic opportunities. The law, therefore, cannot remain blind to the adverse consequences caused by birth or environment.

Moreover, the current law can actually be used against the very people whom it seeks to protect, because it:

- prevents the gathering of meaningful employment statistics on minority groups and thereby robs the advocates of social change of a powerful tool;

- permits a doubtful interpretation of the word "preference," thus blocking compensatory or affirmative action programs for the benefit of disadvantaged people;

- is inadequate in dealing with a host of constraints and restraints—legalistic, attitudinal and administrative—that have blocked the implementation of the worthwhile objectives of our present-day human rights legislation.

Prof. Alfred Blumrosen dealt very clearly with this problem in a recent speech at York University:

"It did not follow that treating blacks and whites equally would deal with the dimensions of the problem thus revealed. For example, equal treatment with respect to educational requirements would continue to disadvantage blacks, who had, as a class, less education than whites; equal treatment by refusing to employ those who had been arrested would continue to disadvantage blacks, who

are more frequently arrested than whites; equal treatment by requiring residence near the employment site would disadvantage blacks, who were not able to move into suburbia and would permit the employer to translate discrimination in other areas of life into continued exclusion from employment. (In Canada add 'natives' to 'blacks' and you get the same results.) The alternative proposal then was that employment practices that produced unequal consequences were discriminatory..." This then is the new legal dimension required as a result of our experience with Fair Employment Practices laws.

The objective of human rights laws and practice should be a more egalitarian society, the narrowing of the gap between extreme poverty and extreme wealth, a wider range of opportunity for all our people. Have we achieved it? Have we come close to this goal? Unfortunately the answer must remain "not very much."

Although absolute incomes have gone up over the years, they have gone up for everybody; but the relative position of the bottom 20 per cent of the population *has not* improved. If anything, there has been a deterioration in their position. Statistics Canada shows that in 1951, 20 per cent of the poorest family units received only 4.4 per cent of aggregate family income, declining to 3.6 per cent in 1971.

A native leader in one of the Territories writes: "The Yukon Indian people have, almost without exception, all experienced wage employment. In the field of heavy equipment operators and mechanics, some are considered the 'best in the Territory'. Although this is a fact, probably fewer than six hold supervisory positions in this field,

The current law can actually be used against the very people whom it seeks to protect

and none hold management positions...

"As regards employment opportunity, a visit to any government office, federal or territorial, will reveal that the only employment given local native people is that of secretary or clerk. There is not one native person holding a senior or middle management position in any level of government in the Territory. There are also none being trained to do so."

A *Globe and Mail* story by Wilf List reported early this year that "a study by the Research Branch of the Ontario Ministry of Labour refutes a widely accepted view that the attractiveness of unemployment insurance is the chief villain in the unprecedented number of job vacancies. Instead, the research paper attributes the fact that jobs have gone begging to a failure to make adequate use of women, youths, various minorities, people in economically lagging regions and to poor planning. One conclusion—we must do a much better job of providing satisfactory employment for youth, women and minorities."

And in another story, the *Globe and Mail* reported that "the Supreme Court of Canada, holding its first session during International Women's Year, ruled yesterday that Indian women do not have the right to administer the estates of their husbands. In a 5 to 2 judgment, the Court upheld the validity of the Indian Act, which allows the Minister of Indian Affairs to appoint a member of his Department as administrator of the estate of Indians who die without leaving a will.

"Chief Justice Bora Laskin and Mr. Justice Wishart Spence, who disagreed with the majority judgment, said this provision of the Indian Act was contrary to the Canadian Bill of Rights, which guarantees all Canadians equality before the law. 'It appears to be forbidden to Indians to become administrators of estates of Indian intestates, where no other class is singled out for disqualification,' said the Chief Justice."

An international story also may illustrate my point. "Between 60 and 90 million people are believed to be unemployed in the cities of the Third World," said Director-General Francis Blanchard of the International Labour Office. "Creating jobs and incomes for these millions and their families demands an all-round strategy embracing not only the promotion of productive employment," he added, but also:

- "abolition of poverty (some 580 million people in the Third World have been estimated to be living on an average of less than $75 a year each); and

- "a reduction of the inequalities that leave the poorest 40 per cent of the population in many developing countries with only 10 per cent of total income."

As long as such conditions prevail in Canada and abroad, the work of human rights commissions as well as the efforts of human rights practitioners to enhance human dignity and promote social justice should never be side-stepped or slackened.

Farm Workers: Victims outside the Law

by John Bank

The author argues against the policy—practised in Canada and the United States—of excluding farm workers from basic labour legislation. He suggests with broad strokes the shape that such legislation should take.

A vegetable farmer in Ontario housed a family of eleven in a ramshackle barn while they picked his cucumbers alongside a crew of Caribbean farm workers. A team of investigators sent by the Minister of Manpower and Immigration commented: "We saw the inside of this filthy, drafty barn...The French-Canadian family would not speak to us, probably because the owner was present." The investigators went on to uncover poverty, sickness, and, at times, subhuman working and living conditions among the seasonal farm workers in Southwestern Ontario. Their recommendations, published in August 1973, suggested that Ontario farmers "...take a closer look at working conditions and wages paid to their seasonal help and cease the exploitation of—in many cases—defenceless workers and their families..." The investigators, interestingly enough, did not recommend that farm workers be included under the protection of the Ontario Labour Relations Act. They continued the damaging myth that farm workers are a special breed of workers, entitled to public pity and the paternalism of farmers but not ready for safeguarding under the law.

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Canadian and United States farm workers are the most discriminated against group of workers in North America. They are excluded from the most basic protective legislation afforded other workers—no accident of history, but rather the deliberate strategy of agribusiness for keeping farm workers poor, unorganized and—most important—powerless.

Recent statements from the Ford administration propose to bring U.S. farm workers under federal labour laws. If the initiative is genuine, the administration will have to overpower the opposition of conservatives and farm-state Republicans united in an agribusiness lobby that has spent the last 40 years keeping the farm labour force outside the National Labor Relations Act.

In March 1974, lawyers for the United Farm Workers of America (AFL-CIO) helped draft a state farm labour bill for the California legislature. The legislative effort was an attempt to secure for farm workers the right to secret ballot elections for union representation and other protection. Although the bill passed the Assembly, a Senate committee killed it on a procedural technicality. Ronald Reagan, then the Governor of California, had threatened to veto the farm labour bill if passed by the Senate.

On the federal level six California congressmen called for the inclusion of farm workers under the National Labor Relations Act by introducing a farm labor bill in March. At the same time Californian John V. Tunney, a Democrat, introduced an identical bill in the Senate.

With the words: "This is the first time in the history of the United States that a serious farm labor bill has been presented to an appropriate legislative body," California's new Governor, Edmund Brown, Jr., on April 10, threw his support behind a farm labor bill written by the California Agriculture and Services department.

The Brown Administration proposal drew fire from all parties involved. Jerry Cohen, General Counsel for the United Farm Workers, called the bill "deceptive," and threatened massive demonstrations against major sectors of the proposal. Daryl Arnold, vice-president of the Western Growers Association, indicated dissatisfaction with the bill's admission of some secondary boycotting. The Teamsters Union, while praising Brown for trying to "to bring order to the chaotic farm labor situation," said one section of the bill, which could eliminate existing contracts with growers, "may be unconstitutional."

The Governor-backed state bill, in brief, would provide for secret ballot elections to let farm workers decide which union, if any, they want. It would permit secondary boycotts, but only under limited conditions. It would outlaw strikes to win union recognition. At the same time, the bill would apparently invalidate union contracts signed by growers with a union that has not won an election. It states that no union can negotiate a valid contract with a grower unless it is certified as the legal bargaining agent for the workers by the state of California.

In the middle of the uproar caused by the bill, Brown said: "I don't expect to get endorsement from each and every side...This is the bill I think is right... The question is what's best for the people." The 37-year-old Governor, in a state where agriculture is the industry, believes he is acting in the interests of California's 200,000 professional farm workers and 550,000 part-time fieldhands.

Priscilla Carrasco

Long hours, low pay

Farm workers should have the right to organize, bargain, strike, and boycott. They should enjoy protection from unfair labour practices and child labour, an effectively enforced national minimum wage, protection from pesticides, sanitary housing, and full unemployment insurance benefits. (They are *not*, as Ronald Reagan said as he vetoed a California bill to give them unemployment benefits, seasonal "like baseball players" and therefore ineligible for benefits.) Farm workers should also be covered by comprehensive workmen's compensation, which is especially important in agriculture, the third most accident-ridden industry after mining and construction.

The labour relations legislation of most Canadian provinces either explicitly or implicitly excludes farm workers from collective bargaining. They are excluded also from minimum wages and uniform labour standards provisions.

In defining the scope of its coverage, the Ontario Labour Relations Act states: "2(b). This Act does not apply...to a person employed in agriculture, hunting or trapping."

The British Columbia Labour Relations Act is equally explicit: "2(d). Employee means a person employed by an employer to do skilled or unskilled manual, clerical or technical work, but does not include...a person employed in domestic service, agriculture, horticulture, hunting or trapping."

Prince Edward Island's Industrial Relations Act, in its definition of "employee" eliminates farm workers: "Sec. 1...A person employed to do skilled or unskilled manual, clerical or technical work, but does not include...a person employed in domestic service or agriculture."

In the provinces of Newfoundland, Saskatchewan, Manitoba and Nova

Scotia, farm workers are neither specifically excluded for collective bargaining nor included.

Only three provinces—New Brunswick, Québec and Alberta—have labour relations laws that cover farm workers.

The Industrial Relations Act of New Brunswick defines: "2(5) For the purpose of this Act...a unit, where an employee is employed in agriculture, shall comprise five or more employees."

While discussing certification, the Québec Labour Code makes a similar stipulation: "Sec.20. Any association of employees comprising the absolute majority of the employees of an employer is entitled to be certified...Persons employed in the operation of a farm shall not be deemed to be employees for the purpose of this division unless at least three of such persons are ordinarily and continuously so employed."

About two years ago, the Alberta Labour Act was rewritten to include farm workers who were employed on a farm classified as a "commercial enterprise" by the Labour Relations Board. Yet the new B.C. Labour Code continued to keep farm workers out.

Across Canada, they are denied full protection under provincial Minimum Wage Acts and Labour Standards Acts. If they work, for example, in Ontario, Nova Scotia, Manitoba or Saskatchewan, farm workers are denied any protection under the Labour Standards Acts of these provinces. A farm worker in Québec finds that the Hours of Work Act doesn't cover his labour. If he works in New Brunswick, he's not covered by the Minimum Wage Act. In Newfoundland a farm worker is excluded from the overtime provisions of the Minimum Wage Act.

It is still a struggle to get Canadian farm workers under the protection of provincial legislation on health, sanitation and education. Although child labour has been banned by law in other industries decades age, it thrives on Canadian farms, with no legal remedy in sight.

A recent report, *Harvest of Concern*, by the Ontario Federation of Labour, recommended legislative changes to curb abuses such as long hours, low pay, unsanitary living conditions and child labour among migratory farm workers. The report wanted farm workers included in the OFL's minimum wage proposal of $3 an hour. It called for farm worker inclusion under the Employment Standards Act, and new legislation providing for adequate housing and minimum health and sanitation standards.

Across Canada, farm workers are denied full protection under provincial Minimum Wage Acts and Labour Standards Acts

When Senator Robert Wagner of New York included farm workers in the original drafts of the National Labor Relations Act in 1935, he was told by the agribusiness lobby to keep farm workers out of the Act if he wanted it to pass. He and other proponents of the legislation made the political compromise and wrote farm workers into the Act as excluded from its protection. They promised farm worker supporters, however, that the Act would be amended at a later date to include farm workers. Forty years later, farm workers remain outside the protection of the National Labor Relations Act and the administration of the National Labor Relations Board.

The National Labor Relations Act—America's basic labour law—created the National Labor Relations Board to administer the procedures it established for union representation elections and good-faith collective bargaining. It outlawed certain unfair labour practices of employers and weighted the scales in favour of the struggling young unions confronting hostile employers.

During the 12 years graced by the unamended NLRA, unions grew from embattled groups with relatively few members to strong effective organizations with membership in the millions and strike funds large enough to deal with the giants in their industries. The unions quieted widespread industrial unrest; they met the social and economic challenges of the Great Depression. By 1947, when the 80th Congress passed the Taft-Hartley Act over President Truman's veto, the unions had expanded their organizing efforts and increased their bargaining power. They were strong enough to withstand negative (from their point of view) legislation, although they fought it furiously. Nevertheless, the Taft-Hartley Act and the subsequent Landrum-Griffin Act were pro-management Acts, which, among other things, outlawed the secondary boycott.

The birth of the farm worker movement with the California Grape Strike in 1965 dramatically raised the issue of farm worker exclusion from the NLRA. This exclusion allowed California grape growers to ignore the demands of their vineyard workers for union representation elections and negotiations. Farm workers fought back. They struck the grape fields and launched an international boycott of California grapes that stretched from San Francisco to Montreal, New York City to London, hitting key grape market cities.

Meanwhile, inclusion under the NLRA was promoted as a social justice issue. Robert Kennedy, speaking to the Senate in 1966, described the Delano grape strike as "a classic case for bringing farm workers under the collective bargaining provisions of the National Labor Relations Act..." The California Catholic bishops, in formal

testimony before the Senate Subcommittee on Migratory Labor, also urged coverage of farm workers under the NLRA. At first, Cesar Chavez, leader of the farm workers movement, wanted inclusion under the NLRA, but the white heat of the strike and the economic power of the farm worker grape boycott helped him refine his position on NLRA coverage.

Testifying before the Senate Subcommittee on Labor in April 1969, Chavez challenged the position that coverage under the NLRA would prove the ultimate salvation of farm workers. "We do support coverage under NLRA, but with certain amendments, for not every kind of amendment will really benefit the farm workers. If farm unionism is to make progress, we need sufficient economic power under law to be able to wrench signed agreements from unwilling hands of growers who still refuse to admit that unionization and collective bargaining have a rightful place...in agriculture for the genuine long-run benefit of all concerned. Coverage under the present NLRA would not give us the needed economic power, and it would take away what little we have."

Farm workers are worried about bad legislation that would strip them of the right to strike at harvest time

Last August, Chavez met with representatives of the National Association of Retail Chains to discuss a resolution by that organization's directors urging that farm labour be included in the scope of the NLRA. He restated his position that farm workers want the NLRA in its original form, untrammelled by its later amendments. He said that in its present form, coverage of the farm workers under the NLRA would be unworkable for three reasons: (1) the problem of timing an election, where harvest workers move on faster than the time required to have federally supervised elections; (2) a language problem is widespread among farm workers, since many do not speak English and are illiterate in the language they speak; (3) many farm workers are hired through the shape-up system, whereby an individual worker may work on a series of different farms on successive days, creating a fluid bargaining unit.

David Montgomery

Fair legislation must take into account eligibility of seasonal workers

What Chavez and farm worker supporters are worried about is bad legislation that would strip the workers of the right to strike at harvest time and the power of the boycott, while saddling them with hopeless legal procedures. There is a strong suspicion among farm workers that laws and the courts will be used against them by the affluent and powerful growers. The primary motive for the flurry of farm labour law proposals in a dozen states between 1970 and 1972 was to contain Cesar Chavez' drive to organize the nation's farm workers. The main proponent of the Colorado Bill (HB 1439), Rep. Lowell Sonnenberg, for instance, told the Colorado Cattlemen's Convention in Colorado Springs on December 5, 1971 that "this bill will prevent Cesar Chavez or someone like him from coming in and picking us off one by one." When Governor Tom McCall vetoed Oregon's farm labour bill in July 1971, an Oregon Farm Bureau executive complained that he had "virtually turned over Oregon agriculture and the Governor's chair to Cesar Chavez."

A farm labour bill, like any piece of labour legislation, is a difficult animal. Since industrial relations is such an intricate field, legislators must carefully study a bill to determine whether it will achieve the sought-after balance between labour and management.

Any farm labour law must specify the rights, duties and obligations of agricultural employers, agricultural employees, and labour unions in agricultural labour relations under such law. Whether it be a federal, provincial or state law it should create a special agency—an Agricultural

Workers Commission—to administer the Act, carefully defining its membership, powers and duties. It should provide for secret ballot elections among farm workers enabling them to select a labour union as their exclusive bargaining agent. As a general policy, such a bill should encourage and protect the right of farm workers to full freedom of association, self-organization and designation of representatives of their own choosing.

Ballots for representation elections should be made available in the language of the workers

Fair legislation must take into account the eligibility of seasonal farm workers. Since most large farmers have a skeleton crew of full-time workers and hire the majority of their workers at the height of the picking season, union representation elections should take place when most of the workers are on the scene. The draft of farm labour Assembly Bill No. 3370, which passed the lower house of the California Legislature before being axed by a Senate committee on a technicality, deals with this issue by stipulating that union selection or decertification elections and recognition strikes require the presence of at least 50 per cent of the peak agricultural employment for the current calendar year on the payroll for the period immediately preceding the filing of a petition. It's an important requirement, for otherwise the small group of well-treated and usually loyal full-time farm workers might determine at off-season lulls all the conditions of employment for the entire work force.

The California bill goes farther to close loopholes: "In this connection the peak agricultural employment for the prior season shall not alone be a basis for such determination, but rather the commission shall estimate the peak employment on the basis of acreage and crop statistics which shall be applied uniformly throughout the State of California, and upon all other relevant data." (Sec. 2676)

Speed in conducting union representation elections is crucial to a farm labour bill. Commenting on Oregon's farm labour bill (SB 677) before the Governor vetoed it, Robert Davis, Administrative Assistant to Governor Tom McCall, said: "There never was going to be a strike under this legislation because the workers would have gone on to the next field by the time prescribed procedures had been carried out." Under the California Assembly Bill No. 3370, when a recognition strike breaks out, the grower is given 48 hours to request that the commission verify that a majority of the employees of the grower employed by him on the date of the strike are engaged in a recognition strike. The commission then must move immediately to make its determination. If it finds that the majority of the employees in the bargaining unit are engaged in a bona fide recognitional strike, it proceeds to certify the union. (The demand that the commission verify the strike can be made by a rival union, as well as the employer.)

Because of the quickness of the harvest, petitions for union recognition elections should be processed within a week and elections held on a 48-hour minimum notice to the parties concerned.

Another special problem that farm labour legislation should deal with is access to the workers when they are living on property owned by their employers. To block union organizers non-violently communicating with workers in labour camps should be forbidden of farmers who own the camps. But the owners should not be given free reign to visit farm workers at their homes during an election campaign, because of the obvious pressure such a visit would bring.

David Montgomery

Third most hazardous industry

As in all labour legislation, unfair labour practices should be defined and related to the election procedure. Ballots for union representation elections should be made available in the language of the workers. French, English and at times Spanish and Portuguese would be required for agricultural areas in Canada. English and Spanish would be standard for California and much of the Southwestern United States, but in some cases Tagalog would be required for Filipino workers and Arabic for Arab immigrant field workers. Traditional good-faith bargaining would be required of both sides.

There should be no narrowing of the scope of bargaining. The Idaho Agricultural Act, which came in force on July 1, 1971, states bluntly in Section 5 that "an employer has the right to manage his operations, to hire employees from any lawful source, to

decide what crops or other products to produce, to determine methods and equipment or machinery to be used, to use any lawful pesticides, herbicides, or fungicides..." In one sentence, the Act sweeps away the United Farm Workers' bargaining demands of a union hiring hall as the *only* source of labour supply (thereby ruling out labour contractors), controls on mechanization and the banning of certain highly dangerous pesticides such as DDT, DDD, TEPP, 2 4-D, 4-5T, Parathion, Aldrin, Dieldrin and Endrin, and restrictions on the usage of others. The issues are large ones concerning the No. 1 health and safety problem facing farm workers, the control of jobs and security of employment. No other union would be expected to watch these kinds of issues legislated away.

Fair farm labour legislation should not, of course, outlaw harvest-time strikes or agricultural commodity boycotts, although it is hoped that balanced legislation would make these tactics rare or totally unnecessary.

Although the focus of this article has been on the exclusion of farm workers from legislation designed to promote collective bargaining, a brief look at other areas of exclusion is important to establish the full pattern of second-class citizenry to which they are subjected in a nation that could not survive without their labour.

Farm workers are excluded from unemployment compensation coverage in 49 of the 50 states. Even though agriculture is the third most hazardous industry, behind mining and construction, farm workers are largely excluded from workmen's compensation coverage. Only 21 states and Puerto Rico offer them some coverage under workmen's compensation statutes.

The Fair Labor Standards Act, the federal wage and hour law, provides a minimum wage for employees. Farm workers were exempt since its enactment in 1938 until recent amendments in 1966 extended coverage on a limited basis to them. One of the limitations—the 500 man-day provision—automatically exempts from the requirement to pay a minimum wage a full 98 per cent of the 1.4 million farms using hired farm workers. That minimum wage was also set at a special low rate of $1.30 per hour, when other workers had a federal minimum wage of $1.65. Several years ago a *New York Times* investigation disclosed that only half of the 2 per cent of the farms required to pay the "special" minimum wage, were, in fact, bothering to do so.

The Child Labor Provisions of the Fair Labor Standards Act are lower for farm workers than for non-farm workers. The minimum age for employment in jobs declared hazardous by the Secretary of Labor is 18 years for non-agricultural but 16 years for agricultural workers. Although these provisions prohibit the use of children aged less than 16 for farm labour during school hours, they do not prevent school children from working outside of school hours, nor do they bar pre-school children from working. The U.S. Senate Subcommittee on Migratory Labor estimates that 800,000 children, more than a fourth of the country's farm labour force, are employed in agribusiness. Enforcement of the federal law as it applies to child labour on the farms is haphazard. Too few inspectors and the wide scope of their responsibility leads to token enforcement.

Investigators found more than 200 Canadian school children who commuted by bus each day to dig potatoes on the American side of the border, in violation of the law

Twenty-nine states establish a minimum age for child labour for farm work during school hours, eighteen states completely exclude agriculture

John Bank

In many cases defenseless

At times, inhuman living conditions

from child labour minimum age provisions. The remaining state laws could be interpreted to include agriculture in their child labour statutes. Enforcement however, tends to be less than satisfactory. California has only 12 inspectors to enforce all labour law violations, and even when violators are brought to court, the fines, meted out by local judges, are too small to be taken seriously. In August 1971, California investigator Steward Young cited two labour contractors from the Fresno area for hiring 120 children under age 12 to harvest chili peppers. One of the contractors pleaded guilty and was fined $50 on each of the two counts.

The Federal Equal Pay Act of 1963 is applicable only to employees subject to the minimum wage under the Fair Labor Standards Act, thereby including only those farm workers covered by that Act. Thirty-five states have enacted similar equal pay acts, but farm workers are usually excluded.

Administrative exclusions deny farm workers such services as food stamps, public assistance, rural housing loans and grants, and so on.

Of the 50 states, Hawaii is the only state in which all farm workers employed in agribusiness have been organized. Hawaii's farm workers, likewise, are exceptional in that they enjoy the benefits of the state's labour legislation. They are covered by an adequate minimum wage law. They have comprehensive medical care plans. They are protected in the exercise of their right to organize by the state's collective bargaining laws. They are entitled to workmen's compensation and are given paid holidays and vacations. They receive sick pay and severance pay.

Several years ago the American Friends Service Committee sent teams of investigators into five key agricultural states: Washington, Oregon, Maine, Ohio and California, to document child labour in agriculture. In Maine, the team worked in Aroostock county during the potato harvest. Upwards of 21,000 workers are needed in that county to bring in the potato crop. About 6,000 local adult seasonal farm workers are augmented by some 15,000 school children and by North American Indians and French-Canadians. The team discovered more than 200 Canadian school children from the border town of St. Leonard who commuted by bus each day to dig potatoes on the American side, in violation of the law.

Talking to the farm workers, the team was told of accidents involving children working on the mechanical harvesters. A boy lost an arm in Mapleton. A girl lost an arm in Washburn. So mangled had her arm become in the machine, the doctor went straight into the field, put a sterile sheet over the harvester and amputated the girl's arm on the spot. Another little girl's hair was caught in a harvester and she was literally scalped.

As long as Canadian and American farm workers are excluded from the basic legislation other workers take for granted, they will remain victims of lawlessness.

Letters

In the February issue of *The Labour Gazette*, there is an item under "News Briefs" entitled "Arbitration in Ontario." The item quotes from a number of critical statements about arbitration in Ontario made by Mr. D.R. Montgomery, Secretary-Treasurer of the Canadian Labour Congress.

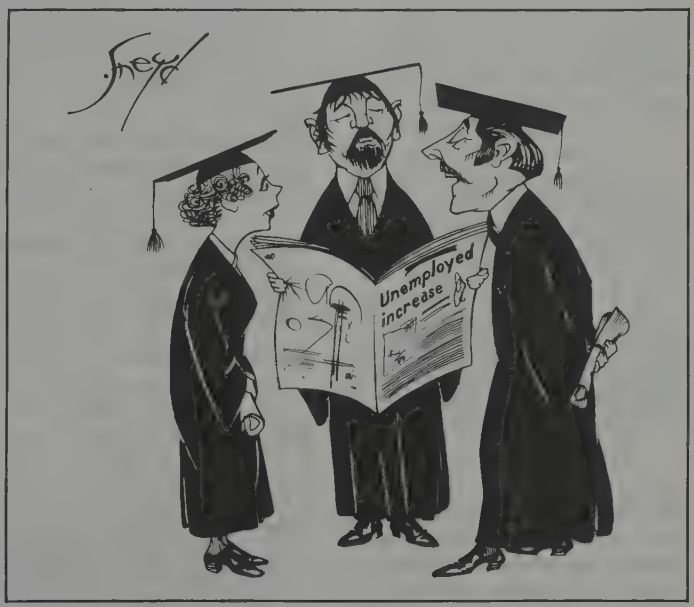
The study commissioned by the Labour Council of Metropolitan Toronto and mentioned in the item was a factual analysis of arbitration and it certainly did not justify some of the exaggerated public criticisms voiced by Mr. Montgomery and others. Indeed, Mr. Montgomery has publicly modified his criticism, at a recent seminar on arbitration sponsored by The Ontario Labour-Management Arbitration Commission.

In any event, it would seem incumbent on *The Labour Gazette* to publish some countervailing views on the subject. Last fall, the Board of Trade of Metropolitan Toronto, the Ontario Division of the Canadian Manufacturers' Association and the Ontario Chamber of Commerce jointly sponsored a seminar on arbitration in Ontario at which management spokesmen, several able professional arbitrators, and a distinguished Judge, His Honour Judge Walter A. Little, reached a consensus as to the health and vitality of arbitration, which is entirely at variance with the criticisms by a minority of union spokesmen.

I regret that the *Gazette* omitted to quote the concluding paragraph of the study referred to, which is very much at variance with the item in the *Gazette*:

Arbitration is not a speedy process. It can be very time-consuming and frustrating. Like any system of dispute settlement it is far from perfect, but it does work. It does provide a method for settling disputes arising during the course of the collective agreement. It does preserve the rule of law at the work place. This is a factor which should not be ignored when one considers the vices and virtues of the arbitration process.

Harold J. Clawson
Toronto, Ont.



"Perhaps our Ph.Ds will bring a touch of class to the unemployment office."

forum

Where is Quebec Unionism Going?

Despite the political education that Quebec unions are supposed to give their members, organized workers in that province are not really politically inclined. This was particularly evident in 1972, when Marcel Pepin, Louis Laberge and Yvon Charboneau, leaders of the CNTU, QFL and QTC respectively, were sent to prison for refusing to comply with legislation ending a public service strike in the province. The members of the three central labour bodies did not rise in opposition to the imprisonment of their chiefs, however; they didn't even organize one large-scale public demonstration to show their solidarity. Why this incredible apathy? Because the province's workers were not ready to "break the capitalist system." Apart from wages and hours of work, organized workers in Quebec are not very demanding. They'll even put up with intolerable working conditions, particularly those that exist in the mines and metal works. Consequently giving a political aspect to the union struggle was premature because it represented none of the concerns of unionized workers.

Manual workers live in a social environment where employers have always treated them as appendages to machines. This in turn has shaped their mentality, instilling in them a marked degree of apathy if not contempt for their working conditions. Their leaders have been indifferent, moreover, with regard to the essential health requirements of their members, thus reinforcing the latter's apathy and ignorance. It is simpler to handle money matters than to educate workers in matters concerning their health.

Young workers, however, appear to be more concerned than their elders about working conditions. Higher wages and reasonable working hours having to a large extent been achieved, such workers are now ready to move toward the goal of healthier working conditions. But most other unionized workers continue to be preoccupied with wages and have not developed a social conscience, or at least a concern about their working conditions. It is therefore illusory to think that they might be pitted against the capitalist system.

What is in fact needed to "break the system" is a general decaying of social institutions, and a seasoned political party that is ready to assume power. The union movement, however, in addition to being split, is not a political party. Moreover, no union in the world has ever caused a revolution. That isn't its purpose. It is apparent therefore that the idea of breaking the system was an ineffectual slogan related to no real objective. The slogan became ridiculous through excessive use; there was nothing to motivate people to shift from a capitalist to a socialist system. This was especially apparent when the Liberal Party, which does not profess to be a workers party, won a stunning majority in the 1973 provincial elections. The Partie Quebecois, the only party with a strong proportion of socialist elements—won only six seats out of a total of 110. Quebec unionism is not in the foreseeable future moving toward an overthrow of the capitalist system, and people who believe that unions are forming a subversive movement capable of overthrowing the system have not given any serious analysis to the matter.

FORUM invites readers to freely express their opinions on topics of concern to the working population. Letters must be signed and length should not exceed 600 words.

Letters commenting on **Labour Gazette** articles will continue to be published, at the usual discretion of the editor, in the **Letters** section of the magazine.

An interesting development in Quebec is the growth in the number of persons interested in making unions their career. Such individuals are becoming encrusted in the unions and are managing them as they would their own private businesses. As a result, unions are ceasing to be truly democratic, a situation that calls for legislation to ensure that important union decisions are made democratically. Strikes, for example, should not be permitted unless two thirds of the union members have voted by secret ballot to go on strike.

As the largest employer in the province the government must set an example and take the lead. It must protect the ordinary unionized worker and the public against union adventurers whose numbers have increased with the growth in union bureaucracy.

If, in addition to legislation respecting the right to strike, the government granted union members in the public sector—40 per cent of the Quebec workforce—wages and working conditions similar to those in the private sector, protracted strikes in the public sector would be more or less eliminated.

If we ask ourselves where unionism in Quebec is going we see that it is following the path of society as a whole. It is no more and no less corrupt than the society that gave it birth, and the logic of survival will lead it to copy the methods of those against whom it must fight. It is then very clearly the policy of the government that will determine the eventual course of Quebec unionism.

Ivan Guay,
La Gazette du Travail.

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Tradeoff Needed

An industrial relations specialist proposes a compromise that would retain the right to strike in exchange for a significant scaling down of the potential incidence of public service strikes.

The vast majority of these strikes are at the federal level. Therefore, it is the federal Government that should take the lead in initiatives to improve the situation. In recent years, the airline industry alone has had firemen, air controllers, mechanics, service personnel, stewardesses, and ticket agents taking part in some action to hold back the industry, and all at *different* times. The shipping, train and postal services have the same characteristics of fragmentation of bargaining, with a potential for two, three, or more groups to strike in a single year.

I propose consideration of federal legislation requiring all bargaining groups in a single sector, such as airline service, to bargain on a joint basis, together with a requirement for relatively long-term agreements, perhaps no less than three years. The result, in its simplest terms, would be an assurance to the country that each important service sector would be strike-free except for a possibility of strikes once every three years or so.

Undoubtedly, there would be some difficulties in implementing such a scheme, and the bargaining would be somewhat more complex. The unions would say that they would lose some of their current freedom. But in the final analysis, all freedoms carry responsibility. The track record in the past three years of public sector bargaining seems to me to suggest the need for a tradeoff between the public interest and complete freedom for unions. After all, this proposal does retain the right to strike, albeit on a much less free-wheeling basis.

If nothing is done, unions may find the public demanding a full withdrawal of that right within a year or two, and I think that would be unfortunate for the country. It is obvious that something must change in this whole area. Isn't some moderate change better than what we now have?

D.E. Houck
Director of industrial relations services, Urwick, Currie & Partners Ltd.

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Establish Wage Courts

Workers should submit their wage demands to a labour court, suggests a Toronto lawyer.

Until recently most people would have rejected out of hand even the suggestion that some employees should be required by law to submit their wage demands to a labour court instead of proceeding by way of collective bargaining and the strike.

Times, however, are changing. Strikes by postmen, teachers and other public service employees have so disrupted our normal routines, and rapidly rising wages, prices and taxes have so threatened our security that most of us are now prepared to face the possibility that collective bargaining may not be the only way or even the best way of establishing wage rates in an industrial society.

Collective bargaining is not only a poor way of establishing wage rates but is in fact one of the principal causes of our present inflation.

Two changes—a system of wage courts and the reporting of accurate information on wages by government—could head off an inflationary crisis and in addition create a pattern of fair wage rates for all Canadians.

Out-of-control wage increases unmatched by increases in productivity are exactly what inflation is all about. We have avoided facing this simple fact for several years in the hope that each of us could get in just one more big wage increase before the roof fell in.

Well, the roof is now falling and the heavy price that we must pay for our folly if we do not act quickly and decisively is an inflationary collapse.

We can avoid this crisis only if we can learn to bring collective self-interest bargaining under control. To accomplish this goal it is not necessary to interfere directly with the right to strike. It is necessary, however, to take at least two steps that would act as a powerful restraint on wage demands and strikes under collective bargaining.

The first strategy would be to get exact and detailed information into the hands of all employees immediately on the wage increases, fringe benefits and so forth of all job classifications in the country in a form that the employee can easily understand and by which he can identify his own job classification and compare it with others.

Such information, coupled with a thorough government campaign setting guidelines for reasonable wage demands, would allow the public and the government to judge the reasonableness of demands by any particular group of employees for wage increases and take appropriate action where those demands were obviously inflationary.

The second strategy is to create and develop a pattern of stable wage differentials among representative jobs in all classifications based on fair play rather than on raw bargaining power as is presently the case.

This goal could be accomplished by the creation of a system of wage courts, compulsory in the public sector and available on a voluntary basis to employees in the private sector.

In the private sector, employees would have the right to choose a hearing before the court as a voluntary alternative to collective bargaining each time their collective agreement came up for renewal. This option would probably attract many new members to the labour movement and should not therefore be dismissed lightly by union leaders.

In the public sector, employees would be required by law to submit their demands in every case to the court. While the right to strike would be withheld, these employees would be guaranteed fair rates and continuity of employment as well as the right to periodic review by the court of their wages and working conditions.

Impartiality, which is the first condition of justice, would be assured through the use of juries. Indexing of the awards to the cost of living would provide the required stability between rates for jobs in one classification and another.

The objective of the court would be justice and its method would be to allow the parties to present evidence and argument directed to that end. A view of the work place, oral evidence from employees and a comparison of the jobs in question with other jobs would all be relevant considerations.

The real difference between the court system and collective bargaining is in the objective. Collective bargaining is aimed squarely at individual self-interest. A wage jury system on the other hand aims for justice in the community.

R.D. Perkins
In *The Toronto Star*

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Med-Arb Better Way?

John Kagel, a San Francisco lawyer heavily involved in med-arb, believes it is the way of the future. He recently told a conference of the Industrial Relations Management Association: "What is most important is how the med-arbiter exercises his authority. He does so as a mediator. He does not do so as an orthodox arbitrator, notwithstanding his authority (to bring down a binding settlement).

"His mission is to bring about an agreement voluntarily negotiated by the parties, not to impose, if at all possible, his individual goals, predictions or peculiarities on the parties in the form of an award.

"Rather than a formal record, he gains his knowledge from his participation in the bargaining as a mediator. He functions as if he were a mediator, he tries to suggest means for settling the disputes, he carries messages between the parties, he gains their confidence and attempts to choreograph, often patiently, the process toward a logical and definite negotiated conclusion by bargaining agreement ...

"A med-arbiter has muscle. He can and must make a decision if the parties don't reach agreement. The parties know this and therefore won't fool around, but if they cannot or won't, the med-arbiter must end their dispute."

Jack Clarke
In *The Vancouver Province*

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After Retirement What?

On the North American continent more emphasis is placed on satisfying the wants of the young compared to the provision made for meeting the needs of the aged. The old are sometimes tolerated, but too seldom valued ... Young people should start learning how to grow old ... Studies indicate that the last 20 or 25 per cent of life requires more preparation than any other period.

Who should assume responsibility for providing opportunities for pre-retirement education and planning?

Employers, unions, governments,

educational authorities, service clubs or the individual himself? It could be argued that employers should help their employees to prepare for their retirement. These are enlightened employers who have recognized this need and have sponsored Preparation for Retirement Programs. There are several non-profit agencies such as Canadian Executive Service Overseas, C.U.S.O. and others that provide opportunity for retired Canadians who have technical, professional or executive skills to make meaningful voluntary contributions to the welfare of their fellow men.

Research studies indicate that in North America those who do not plan or prepare for retirement usually face major difficulties in making the transition from work to leisure or in changing the direction from pre-retirement activities to a second career. Hobbies or interests initiated at the age of 60 in preparation for retirement are unlikely to be satisfactory or absorbing.

Dr. Hem C. Jain
Professor and Chairman
Division of Social Science and Administration
University of New Brunswick
Saint John, N.B.

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Syncrude under Fire

The most talked about subject in Canada in the last few months must surely be the Syncrude deal. It's been a case of the big American multinational corporations doing the demanding—for more and more of our money to build a plant to turn out oil and profits.

The Syncrude deal is yet another example of private profits at public expense in a project whose chief merit seems to be that it will guarantee to be yet another safe source of crude petroleum for the American economy. The real needs of Canadian working people for cheap, reliable energy sources will have again been ignored and the Canadian people will be paying to guarantee the flow of oil to the U.S. and to guarantee Gulf, Imperial Oil and Canada Cities Services vast profits through inflated prices.

When the Syncrude deal was announced as a partnership of four oil companies in September 1973, the cost estimate for construction was $800 million. Now the figures are up to $2,000 million, an increase of 250 per cent. Let Canadian workers ask for pay increases on this scale and see what the reaction is. Yet these figures were not questioned by any of the governments involved. And the governments are now committed to paying 30 per cent of all costs.

Alberta has already decided to spend a minimum of $600 million of the taxpayers' money and is putting up another $500 million for pipelines and roads, in addition to a $200 million loan direct to Imperial Oil and Gulf. So the total government money, our money, committed to the Syncrude project is $1,300 million, enough to build a town about the size of Sudbury.

This isn't to say that the oil in the Athabaska Tar Sands shouldn't be developed, but it does mean that it shouldn't be developed by paying Corporations to take our resources and our money and run off with them. The response of organized labour in Canada must be to emphasize comprehensive planning to meet Canada's energy needs, planning that would take into account existing technology and the impact on the environment, and give primary consideration to the needs of Canadian working people for energy and for decent jobs at living wages.

But this planning must be practiced through public ownership and development of projects like Syncrude, so that all Canadians can benefit from the national development of Canadian resources. We should not be giving private corporations the opportunity through tax concessions of staggering proportions—such as a 100 per cent write-off of development costs and a tax write-off of even the royalty payments to the Alberta government—to write up the books so that the promised 50 per cent of the profits will turn out to be 50 per cent of nothing at all.

For the future, the program of trade unionism should include the exploration and development of energy resources through public ownership and control. In addition, to gain the necessary control over the existing energy reserves as well as to begin public exploration, this program should call on the federal Government to nationalize one of the existing major oil companies as a part of the proposed Petro Canada. (Even the venerable *Toronto Star* in its February 7, 1975, editorial put forward a similar view.)

Of course, a primary interest for trade unionists, must be the jobs created by any investment. Public ownership by itself is not enough. The future will be only slightly improved unless Canadian working people are afforded the opportunity to benefit both through construction of any proposed tar sands development and also through jobs created in subsequent refining and manufacturing here in Canada. Putting the management out to the U.S. Engineering Company, the Betchel Corporation, is certainly not the way to provide jobs for Canadians.

Lastly, a word about the distribution of oil and gas. Labour should take the view that oil and gas distribution systems including the pipelines become public utilities in the way that electricity or water are provided through publicly controlled and regulated bodies. In addition, we need

to develop a realistic policy on how much of our oil and gas to export and how much to keep.

Allan Moscovitch
Assistant Professor
School of Social Work
Carleton University, Ottawa

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Safer Workplace Urged

Asbestos, uranium, lead—substances exceedingly valuable to a modern industrial economy yet known to cause illness and death when used improperly. And those who run the greatest risk of illness or death are the workers who mine, manufacture and process the substances.

Modern science is, however, making new discoveries. Before the days of aerosol cans and plastic everything, workmen weren't exposed to the dangerous chemicals used in their manufacture.

No one would seriously argue that we should stop mining asbestos and uranium, shut down all the lead plants, and return to a pre-plastic, pre-aerosol era.

Nor is it sufficient simply to provide compensation, in the form of disability pensions and survivors' benefits, for the workers who contribute to the well-being of all of us by risking their health and their lives in dangerous occupations. Especially when claims for compensation are often disputed because the companies or the government agencies paying them insist upon iron-clad proof of a cause-and-effect relationship between the occupation and illness.

The solution is prevention.

Modern science and modern medicine, recognizing the hazards, must devise the ways to minimize them. And government and industry must put them into effect so that the workplace—whether a mine, a smelter, a mill or a factory—becomes safe for the men and women in it.

Professor F.H. Knelman of the science and human affairs department of Concordia University, Montreal, has enunciated the basic principle. In a brief to the Ontario royal commission (on the health and safety of workers in mines), he said, "Public health and safety would favour encouraging maximum protection and minimum risk."

Ideally, the task of maximizing the protection and minimizing the risk is a co-operative one, with science and medicine making the determinations and industry, labour and government carrying them out.

There has been little enough co-operation thus far. One need only look at the various agencies of government in Ontario involved: The health ministry looking after health, the labour ministry setting employment standards, the ministry of the environment concerned about pollution, the mines ministry involved in mining, and the Workmen's Compensation Board paying claims.

"And nobody knows what anybody else is doing," commented Stephen Lewis, New Democratic Party leader in the Ontario Legislature.

The measurements and the monitoring of safety levels in the workplace and in the environment must be done by an independent body and published so that the public knows what is going on. Leaving it up to unions, who might want to make things look worse than they are or to companies, who might want to make them look better, won't serve the public interest when public health is at stake.

The public pollution measurer should be like the public auditor—empowered to enter unheralded and to make his examinations unhindered.

The costs of maximum protection and minimum risk will have to be shared by employers and the public. Companies required to install greater safety devices and anti-pollution measures will, undoubtedly, add the costs to the cost of the product. Governments will have to hire more inspectors if they are to do a proper job of measuring and monitoring. It's arguable, though, whether costs of inspectors' salaries won't save money in the long run by keeping workers out of hospital and in productive employment instead of on disability pensions.

There's reason to believe, too, that such measures would not be anathema to the affected industries.

As Dr. Michael Lesage, a former general practitioner with special training in law and industrial medicine and now medical consultant to the Quebec Asbestos Mining Association, said in an interview: "Even one death is too many."

Margaret Weiers
In *The Toronto Star*

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Denounces Uranium 'Cover-up'

In a brief to the Royal Commission on the Health and Safety of Workers in Mines, Fred Knelman, professor of science and human affairs at Concordia University, Montreal, stated: "Miners were the victims of a callous disregard for safety procedures during the first five years of uranium mining in Ontario ... We cannot fully assess the full toll of damage committed by the criminal neglect."

He termed "blatant distortion" a statement by Ontario Resources Minister Leo Bernier that "for men entering the uranium mines today the risk of dying of lung cancer should, in the future, not be significantly greater than for the non-mining population."

He criticized the fact that a preliminary report regarding the findings on the evidence of lung cancer in Elliot Lake miners was made available to the industry and not to the United Steelworkers of America. "This is a clear violation of the democratic principle of consulting all parties involved in such a serious work hazard. It also again raises the question of accommodation and collusion between government and industry."

Knelman stressed that the failure to notify the union representing the workers of the serious health hazard "is tantamount to consulting the perpetrators of a crime rather than acknowledging the primary rights of the victim."

Canadian Labour Comment

Distress over Strike Record

The federal Government in the recent past has taken a mainly hands-off attitude toward strikes except in a few cases where the national interest had been sufficiently damaged to warrant special legislation, as in the case of the West Coast grain handlers' dispute.

But now (Prime Minister) Trudeau warns that the whole system of free collective bargaining is in danger "if it cannot be made less destructive than it is in Canada today."

An answer to part of the problem was proposed (in April) by Jacob Finkelman, chairman of the Public Service Staff Relations Board, who called for stern action against government workers who strike illegally and leaders who incite such strikes.

Certainly a tougher attitude toward illegal strikes in the public service is long overdue. The Government has been far too timid in using the power it has against militant groups, who disregard collective agreements, and their trigger-happy leaders.

At the same time, (federal and provincial) governments have been slow to examine the laws governing industrial negotiations though in recent years Canada's record of time lost due to strikes has steadily increased.

We need a way that will give labor ... (a) ... fair share of the national income without industrial warfare.

The Toronto Star

Advocates Guaranteed Income Policy

The Cabinet was dead wrong when it decided recently the country cannot afford at this time to launch a scheme to guarantee minimum incomes for the working poor by supplementing their earnings.

This is exactly the time when the country should be putting more money into the hands of those who will quickly spend it.

The problem now, and it may soon become a crisis, is lack of demand in the economy, at home and abroad where we sell our exports.

Finance Minister John Turner has already cut taxes and no doubt that will have some influence on consumer spending. But middle-income groups concerned about the outlook may still prefer to keep their money in the bank.

The people who can be relied on to spend whatever they get are those in real need, the poor. They don't earn enough to pay taxes and so a tax cut means nothing to them.

If Turner is still concerned about the total of government spending and the size of his budget deficit, he should raise taxes on the middle-and upper-income groups and pay it to the poor who will immediately put it to the best use.

The world-wide recession is slowing the rate of price increase, but there are still grounds for concern about inflation. Higher costs are already built into the economy and wage demands are rising.

Now is the time not only to pump up the economy, but also to build the regulating valve of an incomes policy. When wages and profits were rising, labour and business leaders were not much interested in policies of rationing and restrain. But with recession threatening—indeed, already here—the mood can change.

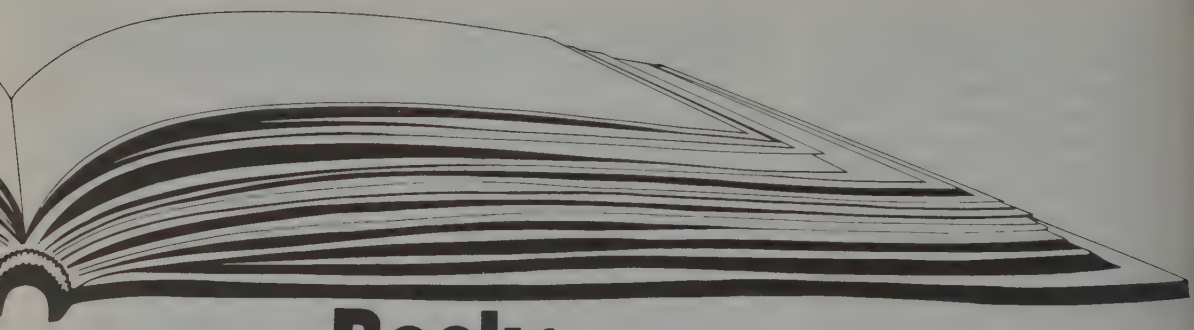
Prime Minister Pierre Trudeau and Turner can make a strong case that an incomes policy is an essential part of a program designed to save jobs and profits.

Anthony Westell,
In *The Toronto Star*

Union Power in U.K.

Commenting on the situation in Britain, historian Arnold Toynbee describes the present power of the unions as a "nemesis" that the cruel exploitation of the British working class in the nineteenth century has brought on in the second half of the twentieth century. Early this year, *Fortune* quoted Toynbee as saying:

"The new social class of exploited industrial workers invented trade unionism in self-defence, and this quasi-military form of social organization has proved so effective that, in our time, it has reversed the balance of power. In 1974 the trade unions showed they have the upper hand not only over landowners and captains of industry, but over the government too. The consequence seems likely to be tragic."



Books

Power Sharing in Industry

by **Innis Macbeath;** Gower Press, London, 1975

Reviewed by **John Bank**

Some 350,000 workers in Britain needed no law to require them to become active workers' representatives. They now outnumber, two to one, the German works councillors, legally designated to serve a workforce of about the same size. Yet these British workers' representatives, unlike their counterparts in other European countries, are not involved in the management of the firm. Not one of the 350,000 is a "worker-director", sitting on the board of a British company.

Parliament seems certain to end the discrimination against them. Within a session or two, it is expected to make some form of worker participation in the running of British companies mandatory. As the time for floating ideas on what form the legislation should take grows shorter, journalists and academics, businessmen and union leaders are putting their ideas in print. *Power Sharing in Industry* is a unique contribution to the debate. Its author, Innis Macbeath, is singularly qualified to offer what he calls, "a practical guide to employee participation in company operations."

Macbeath is Plowden Professor of Industrial Relations at the London Graduate School of Business Studies, University of London. But his background as labour editor for *The Times* and a senior industrial relations consultant makes him more comfortable with the shop floor realities of power sharing than with pure theories about it. The reader benefits.

It is not surprising that the issue of worker participation or industrial democracy has burst upon the British scene like a spring storm. Denmark, Norway and Sweden; Austria, Belgium and France have had compulsory works councils since the late 40s. West Germany and the Netherlands since the early 50s and Italy since 1963. In a concise comparison of mandatory works councils in ten European countries, Macbeath outlines their growth and development and rates West Germany as the front runner with its two-tier board system—a supervisory board to set policy and a management board to carry it out—and its high proportion (up to 50 per cent) of workers on the supervisory board. Quite naturally, it was the German model, with a Dutch variant, that the European Economic Community singled out in a draft directive proposing harmonization of company law.

The EEC directive and the return of the Labour Party to power in March last year stirred the debate on industrial democracy. Whether or not the British people choose to remain in the EEC, the momentum for a British law on worker participation will increase. Macbeath's book is neither a manifesto for worker control along TUC and Labour Party lines, nor a defense of the Confederation of British Industry's foot-dragging on the issue. The author takes a neutral stance. More interested in creating openness for dialogue than in arguing persuasively for one position, he lists the practical and ideological arguments, pro and con, for industrial democracy with clinical objectivity. A practical argument in favour cites the higher educational level of workers and their increasing industrial experience and social security that makes them more easily fed-up with the traditional industrial set-up. An equally practical argument against is based on the fact that participative

institutions nearly always become mere rubber stamps, since the hard choices must be made by small groups with total mutual trust.

Power Sharing in Industry is too practical and open-ended to be polemic. The author examines those areas of participation where progress in joint decision-making can be made: payment systems, the organization and direction of work, job enlargement and job enrichment, recruitment and turnover, controls and the grievance procedure, communication and information systems, and company direction. In each area he highlights benefits and suggests techniques for implementation. He analyses methods of organization and cites case histories to make his points. There are endless breakdowns into four, five or six points, lists, admonitions, little diagrams. Sometimes it all gets a bit tedious, like an economics text. But then a vivid illustration will suddenly destroy the artificialities of a subdivision, or the reader will be challenged by an assertion like the one stating that the ultimate test of job satisfaction is whether a worker would recommend a job at the factory to his favourite sister's favourite son.

Throughout, the British worker is presented as someone with an effective power of veto who doesn't want to manage the plant, but wants to know what's going on. He wants a share in those decisions that affect his welfare. As Macbeath asserts: "Politicians in the western world are perplexed at present by the growth of two centres of power that do not appear to be satisfactorily accountable to the formal structure of government—the power of industrial management concentrated in fewer institutions, and the power of industrial interdiction confidently exercised by employees with or without the sanction of trade unions."

Toward the end of his brief and well-argued case for openness to participation, Macbeath confesses that he wants to take the issue out of the hands of the "evangelists," who "push the notion too hard, to suggest that regardless of circumstances some prescription will make any group of workers more tranquil, more productive and more involved." Allowances must be made for individual differences—"the democratic right to apathy," to use his tongue-in-cheek phrase. "...Many people will participate very little in joint decision-making personally, but that does not mean that they do not want joint decision-making as a means of producing results that are more trustworthy from their point of view."

He gently chips away at the attitudes of the authoritarian manager who keeps a high profile of his prerogatives and feels threatened by worker participation. He cautions against half-hearted or bogus efforts at consultation, while demonstrating how a genuine plan of participation is meaningful job enrichment that leads to effective co-operation at plant level. "Managerial attitudes have become less dominant partly through social change, partly through the development of collective 'power,' partly as a result of such legislation as the Redundancy Payments Act, the Contracts of Employment Acts, the new concept of unfair dismissal and so on." A Workers' Participation Act seems inescapable and Macbeath wants people to deal creatively with this prospect.

A certain ethos emerges from Macbeath's seasoned writing, apart from its humour and anecdotal wisdom. He is so low-keyed in his persuasiveness that, upon finishing the book, one gets the feeling of having had a long talk with a North American family insurance man. The friendly sort who sits at the kitchen table and offers his thoughts in your interest so kindly that you forget he's selling.

Labour Legislation In Canada In 1974

Part 4: Employment Standards

by S. Allan Nodwell

Major and minor changes in employment standards were effected in 1974 in most of the thirteen jurisdictions in Canada. Amendments touched upon minimum wages, minimum age for employment, hours of work, overtime pay, annual vacations, general holidays, pregnancy leave and garnishment of wages.

The most significant changes were in Ontario, where the new Employment Standards Act, 1974, came into effect on January 1, 1975. The areas in which changes were enacted are pregnancy leave, equal pay, equal benefits, administration procedures and offences and penalties. The provisions respecting termination, pregnancy leave, equal pay and equal benefits will apply to the Crown, its agencies and boards. The maximum hours of work remain at 48 hours a week, but overtime must be paid after 44 hours.

Allan Nodwell is a member of the Analysis and Evaluation Division of the Legislative Research Branch.

In addition, the exercise of certain powers do not require hearings under the Statutory Powers Procedure Act, 1971. An employment standard shall be deemed a minimum requirement only. The Director has the same power with respect to individual contractual benefits for vacations and holidays as he has with respect to collective agreements. Finally, civil remedies are not affected by the Act.

In New Brunswick, the employer is required to give to each employee at the end of each pay period a statement showing the dates of the pay period, the employee's gross pay for the period, the particulars and amount of each deduction, and the net pay after deduction.

British Columbia amended the Minimum Wage Act to include newspaper carriers in the definition of "employee."

Minimum Age for Employment

A regulation under the Alberta Labour Act contains several provisions governing the employment of persons under 18 years. Adolescents over 12 and under 15 may be employed: as deliverers of small wares for a retail store; clerks in a retail store; clerks or messengers in an office; or deliverers of newspapers, flyers or handbills if

the employment is not likely to be injurious to the life, health, education or morals of the person. The parents of a person under 15 shall file with the employer written consent for the employment of the person. Employment of such person is limited to two hours in a day on which they are required to attend school; or eight hours on non-school days. Employment of a person under 15 is prohibited between 9 p.m. and 6 a.m.

Further, young persons over 15 and under 18 are forbidden to work between 9 p.m. and 12:01 a.m. on the premises of a retail business selling food or beverages (whether alcohlic or not) or any other commodities, goods, wares or merchandise, or petroleum or natural gas products, or in any establishment, including a hotel or motel, where the owner is required to hold a visitor's accommodation business licence, unless the young person works with and is in the continuous presence of a least one other person 18 years of age or over.

No young person shall work in the above-mentioned premises between the hours of 12:01 a.m. and 6:00 a.m. A young person between the ages of 15 and 18 years may work in other premiese not specified above if the parent or guardian has given written consent and if the young person works with and is in the continuous presence of at least one other person 18 years of age or over.

In Saskatchewan, effective July 2, 1974, the minimum age at which employees may be employed in any educational institution, hospital, nursing home, hotel or restaurant is fixed at 16 years.

In Prince Edward Island, no child under the age of 15 years shall be employed in an industrial undertaking. Undertakings engaged in the canning or packaging of any products produced on a farm or harvested from any waters, or involved in the publishing and printing of newspapers, books and magazines, are declared an industrial undertaking.

In the Yukon Territory, no person under the age of 18 years shall be employed underground or at the working face of any open cut workings, pit or quarry.

Equal Pay

In Ontario, no employer or person acting on behalf of an employer shall differentiate between male and female employees by paying a female employee at a rate of pay less than the rate of pay paid to a male employee, or vice versa, for substantially the same kind of work performed in the same establishment, the performance of which requires substantially the same skill, effort and responsibility, and which is performed under similar working conditions, except where such payment is made pursuant to a seniority system, a merit system, a system that measures earnings by quantity or quality of production, or a differential based on any factor other than sex.

Equal Benefits

Ontario prohibits distinctions, exclusions or preferences between employees because of age, sex or marital status under pension, life insurance, sickness, medical or hospital plans available to employees. This prohibition is not yet proclaimed in force. The Lieutenant-Governor-in-Council is authorized to make regulations for exceptions to this general principle.

Hours of Work

Manitoba reissued regualations under the construction Industry Wages Act respecting minimum wages and maximum standard hours of employees in the construction industry:

(1) In Greater Winnipeg and on major building projects located anywhere in the province.

(2) Outside of Greater Winnipeg and not on a major building project.

(3) In the heavy construction industry.

Effective May 1, 1974, in Greater Winnipeg and on major projects, the hours shall vary from eight to nine hours a day and 40 to 48 hours in a week, depending on the occupation of the employee. Previous legislation made no reference to maximum daily hours. In addition, overtime pay at the rate of 1 1/2 times the regular rate must be given for all hours worked in excess of the standard weekly or daily hours.

On June 1, 1974, outside of Greater Winnipeg and not on major projects, the hours are fixed at 44 hours a week, except for roofing employees, whose maximum is 48 hours. Overtime is paid at time and one-half after the regular hours of work, except where a work camp is established and employees do not have ready access to their homes. Upon application from the management and with the employees' consent, the Minister may extend the maximum regular hours of work to 60 hours without overtime.

The regulation respecting the heavy construction industry, effective May 1, 1974, provides for a maximum of 54 hours (was 60) a week, after which overtime at time and one-half shall be paid. In Winnipeg from November 1 until April 30 of each year, the maximum hours shall be 48.

The Northwest Territories amended the Labour Standards Ordinance, effective April 1, 1974, providing for a standard 8-hour day and 44-hour week (formerly 48 hours) and a maximum 10-hour day and 54-hour week (formerly 60 hours). A standard

of 191 hours a month (formerly 208) and a maximum of 234 hours a month (formerly 260) are provided for employees in the exploration and development of metal mining and petroleum, isolated transportation and tourist camps. When a general holiday with pay occurs, the employee shall not work more than 36 hours in that week exclusive of hours worked or during which the employee was at his employer's disposal on the holiday.

In Ontario, on or after October 1, 1974, an employer in the ambulance service industry who pays an employee engaged as an ambulance driver, driver's helper, or first-aid attendant a weekly wage of not less than $108 is exempt from the hourly record requirement.

New Brunswick's Closing of Retail Establishments Act lists the days upon which no retail establishment shall be open to the general public for the purpose of carrying on business. Retail establishments with the exception of newspaper stands, tobacconists, restaurants, etc., shall be closed on New Year's Day, Good Friday, Dominion Day, Sovereign's Birthday, Victoria Day, Lauour Day, Thanksgiving Day, Remembrance Day, Christmas Day and any day appointed by statute, or proclaimed by the Governor General or the Lieutenant Governor.

In Newfoundland, the weekly holiday for barbers and hairdressers has been changed from Monday to Saturday and late opening from Friday to Thursday. The Hours of Work Act was also amended to make Thanksgiving a statutory holiday.

In Nova Scotia, flea markets and rummage sales are exempted from the Lord's Day Act.

In Saskatchewan, any person employed as an automobile salesman as defined in The Motor Dealers Act, 1966, is excluded from the provisions regarding hours of work and overtime pay.

A Commissioner's Order in the Yukon Territory makes provisions for a 40-hour compressed work week of four 10-hour days, allowing for three consecutive days of rest. Agreement by a majority of the employees or terms of a collective agreement would bring this about, as long as the change in hours were registered with the Labour Standards Officer. Employees shall not be required to work overtime in excess of these hours.

The regulation respecting the fresh fruit and vegetable industry under British Columbia's Hours of Work Act will be rescinded on June 1, 1975.

Minimum Wage Increases

Minimum wage rates were increased in Alberta, Manitoba, the Northwest Territories, Nova Scotia, Ontario, Prince Edward Island, Quebec, and Saskatchewan.

Under Alberta's new minimum wage order, effective January 1, 1975 the minimum rates are $2.25 for employees 18 years and over, $2.10 for employees under 18 years and $1.75 for students under 18 years employed on a part-time basis outside their normal school hours between the opening and closing dates fixed for the school they are attending. Effective July 1, 1975, these rates rise to $2.50, $2.35 and $2.00 respectively.

A revised regulation respecting Minimum Wages and Working Conditions in Manitoba raised the minimum wage to $2.15 an hour on July 1, 1974 and to $2.30 on January 1, 1975 for employees 18 years or older. Under-18 employees will receive at least $1.90 and $2.05 and hour on the same dates.

A regulation was reissued under the Construction Industry Wages Act Respecting Minimum Wages and Maximum Regular Hours of Employees in the Construction Industry Outside Greater Winnipeg and not on Major Building Projects. As of June 1, 1974, wages will vary between $2.70 and $6.85 an hour. In a second regulation under the Construction Industry Wages Act Respecting Minimum Wages and Maximum Standard Hours of Employees in the Heavy Construction Industry in Manitoba, as of May 1, 1974, the salaries varied between $2.20 and $4.70 an hour. A third regulation Respecting Minimum Wages and Maximum Standard Hours in the Construction Industry in Greater Winnipeg and on Major Building Construction Projects effective May 1, 1974 varies the wages between $3.92 and $7.20 and hour. On February 15, 1975, wages will vary between $4.33 and $7.50 an hour.

The Northwest Territories amended the Labour Standards Ordinance, effective April 1, 1974. The minimum wage rates were set at $2.50 per hour for all employees 17 years of age and over, $2.00 for all employees 16 years of age, $1.75 for all employees 15 years of age and $1.50 for all employees less than 15 years of age.

A minimum wage order issued under the Labour Standards Code in Nova Scotia provides new minimum wage rates. The new rate for employees 18 years and over, was $2.00 an hour effective October 1, 1974, $2.20 on January 1, 1975 and $2.25 on March 1, 1975. Similarly the rate for under-age employees between 14 and 18 years was increased to $1.75, $1.95 and $2.00. Inexperienced employees will receive the same increase afforded to under-age employees. The minimum rate for beauty parlour employees, logging and forestry employees and workers in the road and heavy construction industry were correspondingly increased.

Orders in Council provided increases for the Plumbing, Steamfitting and Pipefitting Trades; the Sheet Metal Trade; and the Plastering Trade in the building construction industry in the cities of Halifax and Dartmouth, effective May 1, 1974, through April 30, 1976. Plumbers, etc., and sheet metal workers' rates are increased: May 1, 1974, $6.50; November 1, 1974, $6.75; May 1, 1975, $7.05; and November 1, 1975, $7.33. Plasterers receive $5.63, $5.88, $6.13 and $6.38 on the same dates.

Orders in Council produced increases for the carpentry trade the plumbing and pipefitting trades, and for labourers in the building construction industry in the city of Sydney. The schedules are effective from May 1, 1974 through April 30, 1975. Carpenters and plumbers, etc., receive $5.70 on May 1, 1974, and $5.95 on January 1, 1975. Labourers receive $5.00 and $5.25 on the same dates.

A new schedule in the cities of Halifax and Dartmouth for labourers in the building construction industry gave them $5.30 on November 1, 1974, $5.55 on May 1, 1975 and $5.80 on November 1, 1975.

Effective from May 1, 1974 through April 30, 1975, the painting and allied trades on the building construction industry received a new schedule as follows, journey men, May 1, 1974, $5.10 and January 1, 1975, $5.35.

In Ontario, the minumum wage rates were increased on October 1, 1974 to $2.25 for the general rate, $2.50 for construction workers and construction site guards, $2.15 for learners in their first month of employment and $1.90 an hour for students under 18 years of age who work less than 28 hours per week or on a school holiday. The minimum rates for ambulance drivers, driver's helpers and first-aid attendants in the ambulance industry also were increased. New schedules of wages respecting the ladies' dress and sportswear industry and the men's and boys' clothing industry likewise came into effect in 1974.

Prince Edward Island issued a new order covering minimum wages raising the minimum hourly rate to $2.05 on January 1, 1975 for employees 18 years and over. Employees under 18 years will receive a minimum of $1.80 an hour on the same date.

In Québec, the Minimum Wage Commission readjusted its minimum wage rate under the General Minumum Wage Order from $2.15 to $2.30 on November 1, 1974. Rates for employees under 18 years of age also were raised on the same date, to $2.10 an hour.

An amendment to the General Minimum Wage Order, effective July 10, 1974, placed the shoe industry on equal ground with other industries as regards minimum wages. The shoe industry may no longer employ, at 10 per cent less than the minimum wage, workers on a 40-day trial basis in the ratio of 10 per cent of the total manufacturing personnel.

The Sawmills Ordinance was amended, effective July 10, 1974, providing minimum rates of $17.50 a day for cooks, kitchen helpers and watchmen, $2.10 an hour for employees over 18 years and $2.00 an hour for employees under 18.

Effective August 1, 1974, the Forestry Operations Ordinance was amended so that woodcutters paid on a piecework basis are entitled, for each working day in each calendar month, the average rate of $22.00; contract employees, cooks, kitchen helpers and fire rangers are entitled to $19.00, watchmen $17.50 and all other employees $2.10 an hour.

New schedules under the Men's and Boys' Clothing Industry, the Fur Industry (Retail and Wholesale—Montreal) and the Building Service Industry provided increases in the minimum wages.

General Order No. 1 (1974), in Saskatchewan provided for an increase in the minimum wage to $2.25 an hour on July 2, 1974.

Other Minimum Wage Legislation

In British Columbia, three minimum wage orders were rescinded, and in New Brunswick the Minimum Wage Act was amended.

British Columbia rescinded the Occupation of Resident Caretaker Minimum Wage Order 14 (1972) under the Minimum Wage Act. The new order, effective July 1, 1974, provides:

"Resident caretaker" comprises caretakers, custodians, janitors or managers of an apartment building containing five or more residential suites who reside on the premises, excluding those employees whose duties are entirely of a supervisory or managerial character.

The minimum wage for every resident caretaker in an apartment building shall be:

(1) $150 a month plus $6 a month per residential suite in apartment buildings containing more than four and less than 61 residential suites (excluding caretaker's suite).

(2) $510 a month in apartment buildings containing more than 60 residential suites.

(3) Where single rooms, stores or accommodation other than residential suites are provided in addition to suites, time spent attending to these facilities shall be compensated at a minimum of $2.50 an hour.

(4) Where two or more resident caretakers are employed in any apartment building, one shall be designated a resident caretaker. The

other(s) shall be paid a minimum of $2.50 an hour.

(5) Every resident caretaker shall be given a 32-hour period free from duty per week. The caretaker shall be paid at a minimum of $3.75 an hour for work done or for being on call during this period.

The resident caretaker shall be paid at least semimonthly and shall be granted and paid for all holidays as required under the Annual and General Holidays Act.

The Board of Industrial Relations may specify the suitability of accommodation or service provided for a resident caretaker and may limit any charge or deduction made by the employer for such facilities. The order must be posted in a conspicuous place at the establishment.

Records must be kept at the premises showing names, ages, occupations and residential addresses of all residential caretakers as well as their wages, hours of work and conditions of employment.

The Minimum Wage Order 2 (1951) covering Apprentices Indentured under the Apprenticeship Act was rescinded December 15, 1974. Likewise, Minimum Wage Order 8 (1972), covering the Fresh Fruit and Vegetable Industry, will be rescinded effective June 1, 1975.

New Brunswick's Minimum Wage Act was amended to provide that money paid as a tip or gratuity, or as a surcharge or other charge in lieu of a tip or gratuity, is the property of the employee to whom or for whom it is given and shall not be withheld by the employer.

Board and Lodging

The maximum deductions permitted for board and lodging were increased in Alberta, Nova Scotia, Ontario and the Northwest Territories.

Overtime Pay

The Ontario Employment Standards Act, 1974 provides for payment of time and one-half after 44 hours in a week. The Act provides also that an employment standards officer may determine weekly hours and regular rates in cases where no proper records are kept. All existing approvals for averaging hours over a period of more than one week will be brought into line with the 44-hour week. Existing approvals will be cancelled three months after the Act comes into force on January 1, 1975.

Overtime provisions do not apply to employers in the taxi industry and to all employers in the hotel, motel, tourist resort, restaurant, and tavern industry who pay to their seasonal employees an amount not less than 1½ times their regular rate for each hour worked in excess of 55 hours.

Annual Vacations with Pay

In Nova Scotia, teachers are excluded from the vacation pay provisions of the Labour Standards Code and the Vacation Pay Act.

In Saskatchewan, effective May 1, 1974, an employee shall begin to earn a three-week vacation with three fifty-seconds of annual earnings after one year of employment. Formerly, an employee was entitled to three weeks after four years service.

General Holidays

Throughout British Columbia, the first Monday of August will be a legal holiday known as British Columbia Day.

In Ontario, there is a provision under the new Act giving an option to an employer in the hotel, motel, tourist, etc., industry; in the case of a hospital; and where there is continuous operation; to either pay holiday pay for work on the holiday or pay regular pay and give another day as a holiday with pay. Work on a holiday is not considered overtime. When employment ceases before a holiday is substituted, designated or given, the employer shall pay to the employee his regular wages for that day.

The Yukon Territory amended its Labour Standards Ordinance as regards general holidays for persons in custodial work, essential services or continuous operation. Where such an employee is required to work on a general holiday, in addition to his regular rate of pay for his hours worked on that day he must be paid at least time and one-half for the hours worked by him on that day, or be given a holiday with pay at some other time, which may be added to his annual vacation or granted as a holiday with pay at a time convenient to him. The Commissioner may make regulations as he deems necessary regarding these categories.

Pregnancy Leave

Ontario's new Act provides that an employer of 24 employees or fewer is no longer exempt. The leave of absence is extended to at least 17 weeks and permits the pregnant employee to choose the day that leave commences. There are also provisions for shortening the length of leave. A pregnant employee may obtain a leave of absence in case of a medical condition that was not anticipated.

An employment standards officer may require an employer to reinstate and pay compensation to an employee who wishes to return to work after the leave expires.

Garnishment of Wages

In Newfoundland, the amount exempt from attachment or execution is increased by $100. The effect of the increase is to bring the amounts exempt from attachment or execution in line with the rates payable to persons on social assistance plus the income that may be retained by such persons.

Administration

In Ontario, the Minister may appoint persons as referees to hear appeals from employers and difficult cases of wage claims from employment standards officers. An employment standards officer may arrange for direct payment, settle a claim or, on default of either, issue an order for payment by an employer of wages owed to an employee up to $4,000 (was $2,000) plus a 10 per cent penalty.

An employer may not retain wages owed to employees who cannot be conveniently located. Such wages are to be paid to the Director in trust, to be held for the employee or his estate or other person entitled thereto.

An employee may request a review by the Director where an employment stantards officer refuses to issue an order. An employer may appeal to a referee an order compelling payment to an employee.

The Director may cause a referee to conduct a hearing in order to inquire into difficult questions or into alleged schemes to avoid the Act. He may also issue a certificate of non-compliance with an order to pay and to enforce the order in the courts instead of having to prosecute and obtain an order for payment from a provincial judge.

Offences and Penalties

In Ontario, unfair employer practices against an employee are defined in detail and prohibited.

An employer who fails to comply with a provincial judge's order is quilty of an offence and on summary conviction is liable to a fine not exceeding $100 (was $50) for each day of continuing failure. The general penalty for a contravention of the Act is $10,000 (was $2,000) or six months in jail (new) or both.

An officer, director or agent of an employer who participates in an offence is quilty of the offence. The onus of disproving his participation in a contravention of the Act or the regulations is shifted to the officer, director, or agent. A judge may issue an order for payment of wages against an officer, director or agent who was a participant in the offence.

The Director may in his discretion refuse to institute any proceeding or prosecution for the failure of an employee to comply with the new Act where a remedy is available to an employee under the terms of a collective agreement.

Fifty Years Ago

By 1925, government departments and bureaus to administer laws for the protection of labour had been set up in most countries. Their establishment and functions were described in the June 1925 issue of *The Labour Gazette*.

The general use of steam power and the consequent development of large factories and workshops in the early part of the nineteenth century made possible the employment—and exploitation—of a large number of women and children. Excessive hours of labour and other undesirable working conditions led to government investigations and to the gradual enactment of factory laws in many countries. Officers were appointed to enforce these laws, and in nearly all the older industrial nations the factory inspection service became the nucleus of the larger and more varied services performed by governments. One of the first instances of a department being created for the purpose of administering a special act relating to labour was the factory inspection service set up by the British Factory Act of 1833.

With the growth of industry and the consequent increase in the number of wage earners, there was an urgent need for accurate information regarding labour conditions. In the early years, commissions of inquiry had to be set up prior to the enactment of any new law or when public opinion demanded an investigation into any matter. The lack of reliable and current information was a handicap to those urging further legal restrictions; accordingly, bureaus for the collection and publication of labour statistics were established in one country after another, the Commonwealth of Massachusetts leading the way in 1869. Several American states followed the example of Massachusetts, and 26 created bureaus of labour statistics before 1891. In that year, the first government bureau in Europe for the special purpose of collecting and disseminating statistical and other information regarding labour, was established in France. The United States government had taken similar action in 1884, and in 1893 Great Britain established a labour department in the Board of Trade.

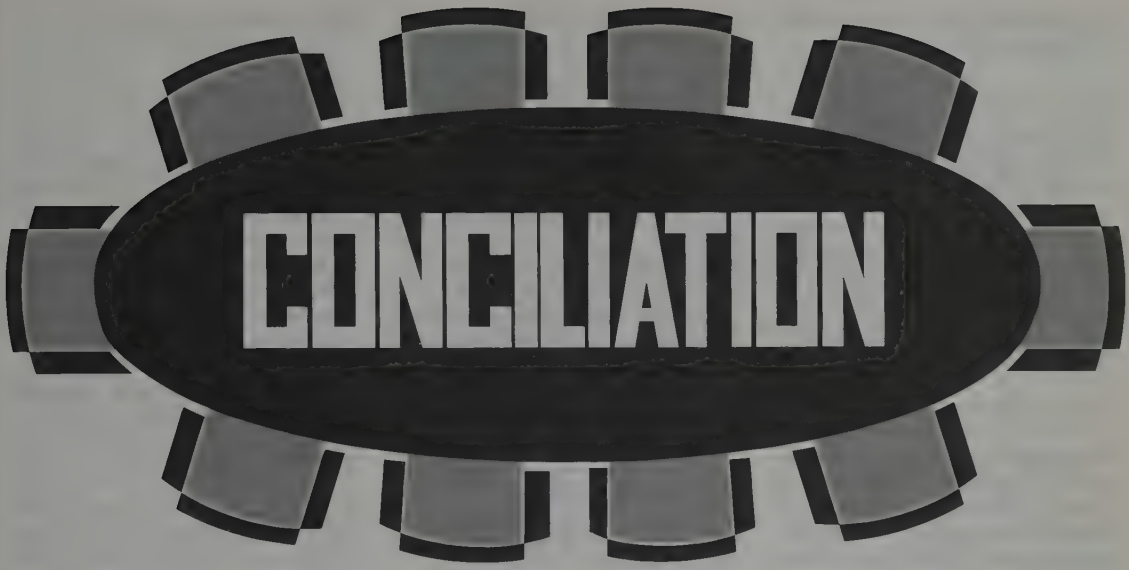
Other European countries followed these examples: Spain in 1894, Belgium in 1896, Austria in 1898, Germany, Italy and Sweden in 1902 and Norway in 1903. In some countries, the functions of the department were broadened to include all matters relating to social welfare—housing, health, social insurance, old age pensions. In other countries, the labour office was a division of a department dealing with other matters, notably industry and commerce, agriculture or home affairs. The enforcement of labour laws and the compilation of statistics were not always handled by the same agency.

In some countries, the collection and publication of labour statistics were tasks assigned to a special statistics office that also gathered data on a variety of other subjects.

In Australia and the United States, as in Canada, certain functions relating to labour matters were performed by the federal government, while other services were under state authority.

The federal Department of Labor in Washington was established in 1913 by an Act that described the purpose of the proposed department to be "to foster, promote and develop the welfare of the wage earners of the United States, to improve their working conditions and to advance their opportunities for profitable employment." The organization of the department in 1925 provided for separate divisions dealing with labour statistics, the welfare of women and children, conciliation, employment offices, immigration and naturalization.

The publication of information on labour conditions was one of the main functions of national labour bureaus in most countries, and most established an official publication devoted wholly or partially to labour matters, which not only served to inform the citizens of the country itself but was of valuable assistance to other countries. A system of free exchange of publications enabled each government to obtain information regarding labour conditions abroad.



During March the Minister of Labour appointed conciliation officers to deal with the following disputes:

Atomic Energy of Canada Limited and International Association of Machinist and Aerospace Workers, Lodge 608 (representing a unit of specified hourly rate employees of the Whiteshell Nuclear Research Establishment at Pinawa, Man.) (Conciliation Officer: A.E. Koppel).

Atlantic Pilotage Authority, Halifax, N.S., and Canadian Merchant Service Guild (representing marine pilots) (Conciliation Officer: G.A. Ogden).

Maple Leaf Mills Limited (Master Feeds Branch), London, Ont., and Teamsters, Chauffeurs, Warehousemen and Helpers, Local 141 (Conciliation Officer: H.A. Fisher).

Télécâble de Québec Inc., Québec, Qué., and Canadian Union of Public Employees, Local 1417 (representing salesmen) (Conciliation Officer: M. Archambault).

Télécâble de Québec Inc., Québec, Qué., and Canadian Union of Public Employees, Local 1417 (representing operating employees) (Conciliation Officer: M. Archambault).

National Harbours Board (Fleet Department), Port of Montréal, Montréal, Qué., and Seafarers' International Union of Canada (Conciliation Officer: S.T. Payne).

National Harbours Board, Halifax, N.S., and International Longshoremen's Association, Local 1843 (representing grain elevator, cold storage, maintenance and general employees) (Conciliation Officer: R.L. Kervin).

Regina Cartage and Storage Company Limited, Regina, Sask., and Canadian Brotherhood of Railway, Transport and General Workers, Local 186 (Conciliation Officer: A.E. Koppel).

Richardson Transport Ltd., Calgary, Alta., and General Teamsters, Local 362 (Conciliation Officer: J.M. Collins).

Ogilvie Flour Mills Co. Limited, Medicine Hat, Alta., and Canadian Food and Allied Workers, Local P511 (representing production employees) (Conciliation Officer: A.A. Franklin).

Maple Leaf Mills Limited, Medicine Hat, Alta., and Canadian Food and Allied Workers, Local P511 (representing production employees) (Conciliation Officer: A.A. Franklin).

Cape Breton Development Corporation (Coal Division), Sydney, N.S., and Canadian Brotherhood of Railway, Transport and General Workers, Local 510 (representing mine examiners and shot firers) (Conciliation Officer: C.A. Ogden).

Cape Breton Development Corporation (Coal Division), Sydney, N.S., and Canadian Brotherhood of Railway, Transport and General Workers, Local 509 (representing technical employees) (Conciliation Officer: C.A. Ogden).

Cape Breton Development Corporation (Coal Division), Sydney, N.S., and Canadian Brotherhood of Railway, Transport and General Workers, Local

504 (representing office employees) (Conciliation Officer: C.A. Ogden).

National Harbours Board, Prescott, Ont., and Public Service Alliance of Canada (representing casual and prevailing rate grain elevator employees) (Conciliation Officer: M.K. Carson).

Settlements by conciliation officers. City Express Ltd., Whitehorse, Y.T., and General Truck Drivers and Helpers, Local 31 (Conciliation Officer: J.M. Collins) (LG, May).

Cannet Freight Cartage Limited, Concord, Ont., and Teamsters Local 419 (representing a unit of employees classified as Lead Hand FT, Dock Workers FT and Dock Workers PT regularly employed for more than 24 hours per week) (Conciliation Officer: H.A. Fisher) (LG, March).

Venture Manitoba Tours Limited, Winnipeg, Man., and Canadian Merchant Service Guild (Conciliation Officer: A.E. Koppel) (LG, March).

Disputes in which no further conciliation action taken under Canada Labour Code (Part V—Industrial Relations). Canadian Arsenals Limited (Small Arms Division), Mississauga, Ont., and United Steelworkers of America, Local 6199 (Conciliation Officer: H. Bartenbach) (LG, May).

Canadian Machinery Movers Limited, Windsor, Ont., and Teamsters, Chauffeurs, Warehousemen and Helpers Union, Local 880 (Conciliation Officer: H. Bartenbach) (LG, May).

Roadway Transport Limited, Rexdale, Ont., and Teamsters Union Local 938 (representing full-time office and clerical employees and dispatch clerks) (Conciliation Officer: T.B. McRae) (LG, May).

National Harbours Board, Port of Montréal, Qué., and le Syndicat National des Employés de Bureau du Port de Montréal (Conciliation Officer: M. Archambault).

MacCosham Van Lines (Saskatchewan) Ltd., Regina, Sask., and Chauffeurs, Teamsters and Helpers Local 395 (representing a unit of office employees) (Conciliation Officer: A.E. Koppel) (LG, March).

Settlements reached following decision to take no further conciliation action under Canada Labour Code (Part V—Industrial Relations). Canadian Arsenals Limited (Small Arms Division), Mississauga, Ont., and United Steelworkers of America, Local 6199 (see above).

National Harbours Board, Port of Montréal, Qué., and le Syndicat National des Employés de Bureau du Port de Montréal (see above).

Strike action following decision to take no further conciliation action under Canada Labour Code (Part V—Industrial Relations). W.C. Norris Ltd., Mississauga, Ont., and Teamsters Local 938 (strike action commenced February 25, 1975 and terminated March 11, 1975) (LG, May).

British Columbia Maritime Employers Association and International Longshoremen's and Warehousemen's Union—Canada Area (strike action commenced March 2, 1975 and work resumed March 27, 1975 with the passing of the West Coast Ports Operations Act, 1975) (LG, March).

West Coast Stevedoring Companies and International Longshoremen's and Warehousemen's Union, Ship and Dock Foremen, Local 514 (strike action commenced March 23, 1975 and work resumed March 27, 1975 with the passing of the West Coast Ports Operations Act, 1975) (LG, March).

Transair Limited, Winnipeg International Airport, Winnipeg, Man., and International Association of Machinists and Aerospace Workers (representing a unit of maintenance employees) (strike action commenced March 7, 1975) (LG, May).

Transair Limited, Winnipeg International Airport, Winnipeg, Man., and International Association of Machinists and Aerospace Workers (representing a unit of traffic and reservation employees) (strike action commenced March 7, 1975) (LG, May).

Conciliation commissioner appointments. National Harbours Board, Montréal, Qué., and le Syndicat national des employés de perception (CSN) (Conciliation Commissioner: Pierre Dufresne) (LG, April).

National Harbours Board, Port of Montréal, Montréal, Qué., and Syndicat national des employés du Port de Montréal (CSN) (representing general workers, grain elevator employees, refrigerator warehousemen and stationary engineers) (Conciliation Commissioner: Pierre Dufresne) (LG, April).

Greyhound Lines of Canada Ltd., Calgary, Alta., and Amalgamated Transit Union, Division 1374 (representing a unit of drivers, terminal and garage employees) (Conciliation Commissioner: Professor Joseph C. Smith) (LG, March).

Maritime Employers Association, Ports of Montréal and Québec City, Qué., and International Longshoremen's Association, Locals 1657 and 1605 (Conciliation Commissioner: His Honour Judge Alan B. Gold).

Conciliation commissioner reports received. Algoma Central Railway, Sault Ste. Marie, Ont., and Brotherhood of Railway Carmen of the United States and Canada; International Association of Machinists and Aerospace Workers and International Brotherhood of Boilermarkers, Iron Ship Builders, Blacksmiths Forgers and Helpers

(Conciliation Commissioner: George S.P. Ferguson, Q.C.) (LG, May).

The City of Whitehorse, Y.T., and International Union of Operating Engineers, Local 115 (Conciliation Commissioner: John C. Sherlock (LG, May).

Maritime Employers Association and International Longshoremen's Association, Locals 375, 1739 and 1846 (representing longshoremen at the Ports of Montréal, Québec City and Trois-Rivières) (Conciliation Commissioner: His Honour Judge Alan B. Gold) (LG, March).

Atomic Energy of Canada Limited, Ottawa, Ont., and Oil, Chemical and Atomic Workers' International Union, Local 9-785 (representing a unit of employees at the employers' Heavy Water Plant at Glace Bay, N.S.) (Conciliation Commissioner: Judge Nathan Green, Q.C.) (LG, April).

Conciliation commissioner settlements. Atomic Energy of Canada Limited, Ottawa, Ont., and Oil, Chemical and Atomic Workers' International Union, Local 9-785 (representing a unit of employees at the employers' Heavy Water Plant at Glace Bay, N.S.) (Conciliation Commissioner: Judge Nathan Green, Q.C.) (see above).

Swan River–The Pas Transfer Ltd., Winnipeg, Man., and General Drivers, Warehousemen and Helpers, Local 979 (Conciliation Commissioner: J.F. O'Sullivan) (LG, April).

Strike action following conciliation commissioner procedure. Algoma Central Railway, Sault Ste. Marie, Ont., and United Transportation Union (T) (strike action commenced March 8, 1975) (LG, May).

Appointment of mediators under Sec. 195 of the Canada Labour Code (Part V–Industrial Relations). Essex Terminal Railway Company, Windsor, Ont., and Teamsters, Chauffeurs, Warehousemen and Helpers, Local 880 (Mediator: H.A. Fisher) (LG, January).

British Columbia Maritime Employers Association and International Longshoremen's and Warehousemen's Union–Canadian Area (Mediator: W.P. Kelly) (see above).

Transair Limited, Winnipeg International Airport, Winnipeg, Man., and International Association of Machinists and Aerospace Workers (representing a unit of maintenance employees) (Mediator: A.C. Sinclair) (see above).

Transair Limited, Winnipeg International Airport, Winnipeg, Man., and International Association of Machinists and Aerospace Workers (representing a unit of traffic and reservation employees) (Mediator: A.C. Sinclair) (see above).

Maritime Employers Association and International Longshoremen's Association, Locals 375, 1739 and 1846 (representing longshoremen at the Ports of Montréal, Québec City and Trois-Rivières) (Mediator: C.E. Poirier) (see above).

Strike action following appointment of a mediator under Sec. 195 of the Canada Labour Code (Part V–Industrial Relations). Maritime Employers Association and International Longshoremen's Association, Locals 375, 1739 and 1846 (representing longshoremen at the Ports of Montréal, Québec City and Trois-Rivières) (strike action commenced March 31, 1975) (see above).

Strike terminated at the mediation stage. British Columbia Maritime Employers Association and International Longshoremen's and Warehousemen's Union–Canadian Area (work resumed March 27, 1975 with the passing of the West Coast Ports Operations Act, 1975).

Strike terminated following the appointment of a mediator under Sec. 195 of the Canada Labour Code (Part V–Industrial Relations). Royal Canadian Mint, Ottawa, Ont., and Public Service Alliance of Canada (strike terminated March 2, 1975) (LG, April).

Settlement by mediator. Essex Terminal Railway Company, Windsor, Ont., and Teamsters, Chauffeurs, Warehousemen and Helpers, Local 880 (Mediator: H.A. Fisher) (see above).

UAW Additions to the Library

LIST NO. 314

The publications listed below are recent acquisitions. They may be borrowed through a local library (business, university, public, etc.) or directly if there is no local library. When requesting loans, please indicate the publication numeral and the month listed.

ARBITRATION, INDUSTRIAL

1. International Labour Office. Strengthening and furthering of tripartite co-operation. Third item on the agenda. Geneva, 1974. 59p.

2. Prasow, Paul. The arbitrator's role. Los Angeles, 1974. 8p. (California. University. University at Los Angeles. Institute of Industrial Relations. Reprint no. 240)

AUTOMATION—ECONOMIC ASPECTS

3. Australia. Department of Labour and Immigration. National survey of the employment effects of technological change: Stage five. Melbourne, 1974. 81p.

CIVIL SERVICE

4. Canada. Treasury Board. Submission of the employer to the Special Joint Committee of the Senate and of the House of Commons on Employer-Employee Relations in the Public Service respecting the Finkelman report. Ottawa, 1975. 117, 127p. English and French.

5. Hodgetts, John Edwin. Provincial governments as employers; a survey of public personnel administration in Canada's provinces, by J.E. Hodgetts and O.P. Dwivedi. Montreal, McGill-Queen's University Press, 1974. 216p.

CORPORATIONS, INTERNATIONAL

6. International Union, United Autmobile, Aerospace and Agricultural Implement Workers of America. The UAW in international affairs; four resolutions passed by the 24th UAW constitutional convention. Washington, International Affairs Dept., UAW, 1974. 40p.

COUNSELING

7. Farwell, Gail Frederic. The counselor's handbook. Edited by Gail F. Farwell, Neal R. Gamsky and Philippa Mathieu-Coughlan. New York, Intext Educational Publishers, 1974. 530p.

DIRECTORS OF CORPORATIONS

8. Conference Board. Corporate directorship practices: role, selection and legal status of the board, by Jeremy Bacon and James K. Brown. New York, 1975. 161p.

ECONOMIC CONDITIONS

9. Conference Board. Business outlook, 1975; a discussion by the Conference Board Economic Forum held at the Waldorf-Astoria, New York City, November 21, 1974. New York, 1975. 102p.

10. Officer, Lawrence Howard, ed. Issues in Canadian economics, edited by Lawrence H. Officer and Lawrence B. Smith. Toronto, McGraw-Hill Ryerson, 1974. 418p.

EDUCATION—ECONOMIC ASPECTS

11. Stoikov, Vladimir Liubenov. The economics of recurrent education and training. Geneva, International Labour Office, 1975. 115p.

EMPLOYEES' BENEFIT PLANS

12. Conference Board. Profile of employee benefits, by Mitchell Meyer

and Harland Fox. New York, 1974. 103p.

INCOME

13. Bhatia, Kul Bhusham Chandra. Rural-urban migration, surplus labour, and income distribution. London, Ont., University of Western Ontario, Department of Economics, 1975. 27p.

INDUSTRIAL HEALTH

14. Forssman, S. Occupational health problems of young workers, by S. Forssman and G.H. Coppée. Geneva, International Labour Office, 1974. 143p.

15. Gonzaga law review. Symposium: The developing law of occupational safety and health. Spokane, Wash., Gonzaga University, School of Law, 1974. Comprises entire issue, v. 9, no. 2, Winter 1974.

16. International Labour Office. General report prepared for the Second Tripartite Technical Meeting for the Woodworking Industries. Geneva, 1974. 1v. in 2.

17. Newcombe, H.B. A method of monitoring nationally for possible delayed effects of various occupational environments. Ottawa, National Research Council of Canada, 1974. 42p.

INDUSTRIAL RELATIONS

18. Dufty, Norman Francis. Industrial relations in the Australian metal industries. Sydney, West Publishing Corporation, 1972. 269p.

19. Heintzeler, Wolfgang. The co-determination problem in Western Germany. London, Aims of Industry, 1974. 19p.

INDUSTRY—SOCIAL ASPECTS

20. Corson, John Jay. Measuring business's social performance: the corporate social audit, by John J. Corson and George A. Steiner in collaboration with Robert C. Meehan. New York, Committee for Economic Development, 1974. 75p.

21. McKie, James Warren. Social responsibility and the business predicament. James W. McKie, editor. Essays by James W. McKie...et al. Washington, Brookings Institution, 1974. 361p.

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22. Dickhut, Harold W. Professional resumé/job search guide, by Harold W. Dickhut and Marvel J. Davis. 3d ed. Chicago, Management Counselors, 1975. 254p.

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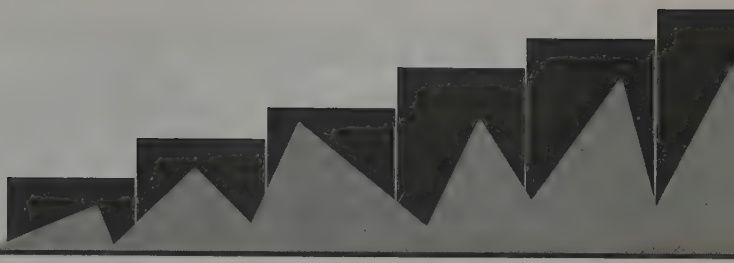
labour statistics



Principal Items	Date	Amount	Percentage Change from Previous Month		Percentage Change from Previous Year	
TOTAL CIVILIAN LABOUR FORCE*		(in thousands)				
Week ended March 15, 1975		9,786	+	0.8	+	4.9
Employed	March 1975	8,946	+	0.8	+	2.5
Agriculture	"	406	+	2.3	–	4.2
Non-agriculture	"	8,540	+	0.7	+	2.8
Paid workers	"	7,938	+	0.3	+	2.5
At work 35 hours or more	"	6,978	+	1.7	+	1.5
At work less than 35 hours	"	1,542	–	3.3	+	4.8
Employed but not at work	"	426	+	1.7	+	11.5
Unemployed	"	840	+	0.1	+	40.2
Atlantic	"	118	+	0.9	+	31.1
Quebec	"	286		–	+	31.2
Ontario	"	272	+	4.2	+	56.3
Prairies	"	64	–	5.9	+	14.3
British Columbia	"	101	–	5.6	+	65.6
Without work and seeking work	"	766	–	1.3	+	38.0
On temporary layoff up to 30 days	"	73	+	17.7	+	65.9
INDUSTRIAL EMPLOYMENT (1961 = 100)†	December	141.3	–	2.6	+	2.2
Manufacturing employment (1961 = 100)†	"	128.6	–	3.0	+	2.2
IMMIGRATION	1st 9 mos. 1974	166,401		–		–
Destined to the labour force	"	81,655		–		–
STRIKES AND LOCKOUTS						
Strikes and lockouts	February 1975	153	–	16.4	+	15.9
No. of workers involved	"	37,459	–	15.5	–	15.8
Duration in man days	"	370,830	–	14.4	–	12.6
EARNINGS AND INCOME						
Average weekly earnings (ind. comp.)†	December 1974	184.85	–	1.5	+	13.9
Average hourly earnings (mfg.)†	"	4.72	+	1.3	+	16.8
Average weekly hours paid (mfg.)†	"	36.7	–	5.9	–	3.4
Consumer price index (1961 = 100)	March 1975	178.9	+	0.5	+	11.3
Index numbers of weekly wages in 1961 dollars (1961 = 100)‡	December 1974	131.9	–	5.0	+	0.8
Total labour income (millions of dollars)†	February 1975	6,586.0	+	0.3	+	15.5
INDUSTRIAL PRODUCTION†						
Total (average 1961 = 100)	February 1975	211.5	+	0.7	–	5.9
Manufacturing	"	206.5	+	0.5	–	7.6
Durables	"	236.8	+	1.5	–	9.0
Non-durables	"	182.6	–	0.4	–	6.0
NEW RESIDENTIAL CONSTRUCTION**						
Starts	February 1975	12,106		–	–	46.3
Completions	"	25,062		–	–	16.8
Under construction	"	124,729		–	–	25.2

*Estimates of the labour force, the employed and the unemployed, are from The Labour Force, a monthly publication of Statistics Canada, which in addition, contains the characteristics of the labour force, together with definitions and explanatory notes.
†Advance data.
‡Preliminary.
**Centres of 10,000 population or more.

STRIKES AND LOCKOUTS, 1970-75

Statistical information on work stoppages in Canada is compiled by the Economics and Research Branch of the Canada Department of Labour on the basis of reports from the Canada Manpower Division, Department of Manpower and Immigration. The first three tables in this section cover strikes and lockouts that amount to 10 or more man-days. The number of workers involved includes all workers reported on strike or lockout, whether or not they all belonged to the union directly involved in the disputes leading to the work stoppages. Workers indirectly affected, such as those laid off as a result of a work stoppage, are not included.

STRIKES AND LOCKOUTS, 1970-1975

Month or Year	Strikes and Lockouts Beginning During Month or Year	Strikes and Lockouts in Existence During Month or Year: Strikes and Lockouts	Workers Involved	Duration in Man-Days: Man-Days	Duration in Man-Days: Percentage of Estimated Working Time
1970	503	542	261,706	6,539,560	0.39
1971	547	569	239,631	2,866,590	0.16
1972	556	598	706,474	7,753,530	0.43
1973	677	724	348,470	5,776,080	0.30
1974	1,170	1,216	592,220	9,255,120	0.46
1974:					
January					
February	71	132	44,475	424,270	0.28
March	83	144	51,473	437,270	0.27
April	120	187	66,484	620,510	0.38
May	143	254	96,535	1,398,940	0.80
June	121	226	217,420	2,025,650	1.24
July	130	236	107,848	1,021,110	0.55
August	120	241	73,157	858,910	0.47
September	95	229	67,085	718,070	0.45
October	95	210	63,418	686,480	0.39
November	95	203	77,474	481,580	0.30
December	31	130	25,478	317,110	0.20
*1975					
January	107	183	44,341	433,110	0.25
February	61	153	37,459	370,830	0.24

* Preliminary.

STRIKES AND LOCKOUTS, FEBRUARY, 1975, BY INDUSTRY (PRELIMINARY)

Industry	Number Beginning During Month	In Effect During Month: Strikes During Lockouts	In Effect During Month: Workers Involved	In Effect During Month: Man-Days
Forestry	-	1	250	5,000
Fishing	1	2	2,724	35,240
Mines	3	5	2,615	13,960
Manufacturing	25	74	13,337	155,610
Construction	4	6	437	2,230
Transpn. & utilities	8	17	1,609	16,540
Trade	3	10	445	5,260
Finance	-	-	-	-
Service	9	24	5,516	59,420
Public administration	8	14	10,526	77,570
All industries	61	153	37,459	370,830

STRIKES AND LOCKOUTS, FEBRUARY, 1975, BY JURISDICTION (PRELIMINARY)

Jurisdiction	Number Beginning During Month	In Effect During Month: Strikes and Lockouts	In Effect During Month: Workers Involved	In Effect During Month: Man-Days
Newfoundland	5	8	1,134	17,600
Prince Edward Island	-	-	-	-
Nova Scotia	3	4	398	2,030
New Brunswick	3	4	1,862	11,280
Quebec	19	59	10,574	130,150
Ontario	9	34	6,754	50,600
Manitoba	1	5	189	1,880
Saskatchewan	1	3	647	12,450
Alberta	2	5	1,593	27,460
British Columbia	13	23	5,451	62,000
Federal	5	8	8,857	55,380
All jurisdictions	61	153	37,459	370,830

STRIKES AND LOCKOUTS INVOLVING 100 OR MORE WORKERS, FEBRUARY, 1975 (PRELIMINARY)

Industry Employer Location	Union	Workers Involved	Duration in Man-days February	 Accumulated	Starting Date Termination Date	Major Issues Result
Forestry						
Société Forestière Domtar Ltée., Dolbeau, Qué.	Woodworkers Fed'n (Ind.)	250	5,000	8,000	Jan. 16	Sympathy strike–
Fishing						
Six fish companies, various locations, Nfld.	Food workers (AFL-CIO/CLC)	800	16,000	33,600	Jan. 2	Wages, implementation of conciliation report–
Fisheries Association of British Columbia, various locations, B.C.	United Fishermen (CLC)	1,924	19,240	19,240	Feb. 16	Prices paid for fish–
Mines						
METAL MINES						
Les Mines, Patino du Québec, Chibougamau, Qué.	Steelworkers loc 5914 (AFL-CIO/CLC)	410	8,200	30,170	Nov. 18/74	Wages, cost-of-living clause–
Similkameen Mining Co. Ltd., Princeton, B.C.	Steelworkers loc 649 (AFL-CIO/CLC)	125	630	630	Feb. 24	Dismissal of one employee–
NON-METAL						
Canadian John's Manville Ltd., Asbestos, Qué.	(CSD)	2,000	4,000	4,000	Feb. 19 Feb. 21	Contract demands– Return of workers
Manufacturing						
RUBBER						
Canadian Technical Tape, Montréal, Qué.	Fed'n of paper workers (CNTU)	180	1,800	18,360	Sept. 20/74 Feb. 17	Wages, cost-of-living escalator clause, voluntary overtime– Wage increases & improved benefits
Bombardier Limitée, Kingsbury, Qué.	(CNTU)	280	280	280	Feb. 10 Feb. 11	Wages– Settled by mutual agreement
LEATHER						
A.R. Clarke & Company Limited, Toronto, Ont.	Food workers loc 125L (AFL-CIO/CLC)	375	7,500	7,500	Feb. 3	Not reported–

STRIKES AND LOCKOUTS INVOLVING 100 OR MORE WORKERS, FEBRUARY, 1975 (PRELIMINARY) (CONT'D)

Industry Employer Location	Union	Workers Involved	Duration in Man-days February	 Accumulated	Starting Date Termination Date	Major Issues Result
TEXTILES						
Dominion Dyeing & Printing Ltd., Drummondville, Qué.	CSD	324	1,620	2,590	Jan. 28 Feb. 10	Job jurisdiction & overtime— Settled by mutual agreement
Versatile Knitting, Cornwall, Ont.	Textile workers union loc 1898 (AFL-CIO/CLC)	112	1,120	1,120	Feb. 9 Feb. 24	Over due bonus— Settled by mutual agreement
KNITTING MILLS						
Penman's Ltd., Saint-Hyacinthe, Qué.	Textile federation (CNTU)	330	6,600	62,370	May. 31/74	Wages—
Johnson Wire Weaving, Montreal, Qué.	Machinists loc 1758 (AFL-CIO/CLC)	300	300	300	Feb. 14 Feb. 15	COLA clause, seniority— Return of workers after one day
Dana Original Inc., Berthierville, Qué.	Textile Federation (CNTU)	117	230	230	Feb. 27	Wages—
PAPER						
Sonoco Products Ltd., Terrebonne, Qué.	Fed'n of paper workers (CNTU)	110	2,200	13,310	Sept. 9/74	Seniority, cost-of-living adjustment—
Rayonnier Québec (ITT), Port-Cartier Qué.	Canadian paper workers loc 1125 (CLC)	225	4,500	8,550	Jan. 8	Suspension of some workers—
PRIMARY METAL						
Union Carbide, Beaubarnois, Qué.	Steelworkers loc 5987 (AFL-CIO/CLC)	450	9,000	12,950	Jan. 19	Working conditions, interpretation of contract—
Standard Tube Canada Ltd., Woodstock, Ont.	Auto workers loc 636 (CLC)	600	6,000	6,000	Feb. 16	Wages & fringe benefits—
METAL FABRICATING						
Québec Wires, Trois-Rivières, Qué.	Steelworkers loc 7092 (AFL-CIO/CLC)	125	2,500	6,500	Dec. 16/74	Employees locked-out; wages for female workers—
Paragon Tools, Windsor, Ont.	Auto workers loc 195 (CLC)	119	2,380	3,280	Jan. 10	Not reported—
Sometal Atlantic Ltée, Rimouski, Qué.	Fed'n of metal trades unions (CNTU)	139	1,250	1,250	Feb. 18	Wages & fringe benefits—
Zimmcor Company-Ramsay Industries Div., Lachine, (Montréal) Qué.	(AFL-CIO/CLC)	274	2,190	2,190	Feb. 19	Not reported—
MACHINERY						
Hamilton Gear and Machine Co., Toronto Ontario	Moulders loc 28 (AFL-CIO/CLC)	134	2,680	4,420	Jan. 15	Wages & fringe benefits—

STRIKES AND LOCKOUTS INVOLVING 100 OR MORE WORKERS, FEBRUARY, 1975 (PRELIMINARY) (CONT'D)

Industry Employer Location	Union	Workers Involved	Duration in Man-days February	 Accumulated	Starting Date Termination Date	Major Issues Result
Gearmatic Co. Ltd., Surrey, B.C.	Steelworkers (AFL-CIO/CLC)	170	3,400	4,250	Jan. 27 Feb. 3	Respecting picket lines— Return of workers
Dominion Engineering Works Ltd., Lachine, Qué.	Machinists loc 1660 & 2505 (AFL-CIO/CLC)	1,300	-	1,300	Jan. 31 Feb. 3	Cost-of-living adjustment— Return of workers after one day study session
TRANSPORTATION EQUIPMENT						
United Aircraft of Canada Ltd., Longueuil, Qué.	Auto workers loc 510 (CLC)	1,200	24,000	611,400	Jan. 7/74	Union security, wages, cost-of-living clause—
Chrysler Canada Ltd., Windsor, Ont.	Auto workers loc 444 (CLC)	240	240	240	Feb. 4 Feb. 5	Not reported— Return of workers
Saint-John Shipbuilding and Dry Dock Co. Ltd., Saint-John, N.B.	Five unions	1,500	7,500	7,500	Feb. 17 Feb. 24	Parking facilities— Dispute settled
ELECTRICAL PRODUCTS						
C.P. Clare Canada, Weston, Ont.	U.E. loc 518 (CLC)	275	5,500	11,550	Nov. 11	Wages & fringe benefits—
Rotor Electric Co. Ltd., Concord, Ont.	Steelworkers loc 697 (AFL-CIO/CLC)	225	-	2,030	Jan. 21 Feb. 3	Wages & fringe benefits— Settled by mutual agreement
Leviton Manufacturing of Canada Ltd., Montreal, Qué.	Steelworkers loc 15510 (AFL-CIO/CLC)	300	-	300	Jan. 31 Feb. 3	Wages— Return of workers
Canadian General Electric Co. Ltd., Peterborough, Ont.	U.E. loc 524 (CLC)	1,300	4,640	4,640	Feb. 13 Feb. 18	Grievance— Settled by mutual agreement
Leviton Manufacturing of Canada Ltd., Montréal, Qué.	Steelworkers loc 15,510 (AFL-CIO/CLC)	615	6,460	6,460	Feb. 14	Wages—
Phillips Cables Ltd., Coleman, Alta.	Industrial Mechanical workers loc 2 (CCU)	200	400	400	Feb. 27	Wages & term of contract—
NON-METALLIC MINERAL PRODUCTS						
Consumers Glass, Candiac, Qué.	United Glass workers loc 250 (AFL-CIO/CLC)	407	8,140	10,470	Jan. 24	Wages, COLA clause—
Consumers Glass Co. Ltd., Lavington, B.C.	United Glass workers loc 257 (AFL-CIO/CLC)	340	6,800	7,480	Jan. 30	Wages, fringe benefits, grievances—
PETROLEUM & COAL PRODUCTS						
Texaco Canada Ltd., Montreal, Qué.	Oil workers loc 9-618	317	910	7,320	Jan. 3 Feb. 5	Cost-of-living adjustment— Return of workers

STRIKES AND LOCKOUTS INVOLVING 100 OR MORE WORKERS, FEBRUARY, 1975 (PRELIMINARY) (CONT'D)

Industry Employer Location	Union	Workers Involved	Duration in Man-days February	 Accumulated	Starting Date Termination Date	Major Issues Result
CHEMICAL PRODUCTS						
Rexall Drug Co. Ltd., Mississauga, Ont.	Chemical workers loc 279 (AFL-CIO/CLC)	153	150	10,250	Oct. 28/74 Feb. 4	Not reported– Settled by mutual agreement
Colgate-Palmolive Ltd., Toronto, Ont.	Chemical workers loc 809 (AFL-CIO/CLC)	330	6,600	10,560	Jan. 16	Wages & fringe benefits–
Cyanamid of Canada, Saint-Jean, Qué.	Chemical workers loc 449 (AFL-CIO/CLC)	254	5,080	7,370	Jan. 21	Wages–
Construction						
Loram International, Micaa Creek, B.C.	Int. Operating Engineers loc 115 (AFL-CIO/CLC) Teamsters loc 213 (Ind.)	140	420	420	Feb. 12 Feb. 17	Not reported– Not reported
Commonwealth Construction, Princeton, B.C.	Various trade unions	125	500	500	Feb. 24	Refusing to cross picket lines set up by Steelworkers loc 649 at Similkameen Mining Co. Ltd.
Transportation and Utilities						
TRANSPORTATION						
Four Trucking Firms Various locations, Qué.	Teamsters loc 106 (Ind.)	700	6,300	20,300	Jan. 6 Feb. 14	Wages– Settled by mutual agreement, wage increases
Autobus scolaires, rég., Chicoutimi (16 companies) Chicoutimi, Qué.	Public service Fed'n (CNTU)	160	2,400	4,000	Jan. 20 Feb. 24	Wages & fringe benefits– Settled through conciliation
CNR, various locations in Canada	Locomotive engineers various locals (Ind.)	1,787	-	8,750	Jan. 22 Feb. 3	Wages– Return of workers
Les Autobus Gaudreault Inc., Joliette, Qué.	(CNTU)	107	2,140	2,350	Jan. 30	Wages, seniority–
Cartier Transport, Baie Comeau, Qué.	Teamsters loc 22 (Ind.)	160	800	800	Feb. 10 Feb. 18	Cost-of-living adjustment– Settled by mutual agreement

STRIKES AND LOCKOUTS INVOLVING 100 OR MORE WORKERS, FEBRUARY, 1975 (PRELIMINARY) (CONT'D)

Industry Employer Location	Union	Workers Involved	Duration in Man-days February	 Accumulated	Starting Date Termination Date	Major Issues Result
Trade						
WHOLESALE						
International Harvester Co. (Parts Dept.), Burlington, Ontario	Auto workers loc 398 (CLC)	150	1,200	13,350	Oct. 4/74 Feb. 13	Wages– Settled through mediation, wage increases, COLA clause
Service						
EDUCATION						
Lakehead Board of Education, Thunder Bay, Ont.	Ont. Secondary School teachers' Fed'n (Ind.)	554	280	25,770	Nov. 26/74 Feb. 3	Wages & fringe benefits– Wage increases & COLA clause, settled through mediation
Calgary School District # 19, Clagary, Alta.	Public employees loc 40 (CLC)	838	16,760	19,270	Jan. 29	Wages, hours of work and other issues–
CEGEP La Pocatière La Pocatière, Qué.	Teachers Fed'n & public service Fed'n (CNTU)	140	2,800	2,800	Feb. 3	Asking dismissal of two directors–
Regina Separate School Board, Regina, Sask.	Sask. Teachers Federation (Ind.)	495	9,410	9,410	Feb. 4	Special allowances, leave–
Calgary R.C. Separate School Board, Calgary, Alta.	Public employees loc 520 (CLC)	200	3,200	3,200	Feb. 7	Wages: equal pay for women–
Halifax County Municipal School Board, various locations, N.S.	Public employees loc 1025 (CLC)	220	1,540	1,540	Feb. 17 Feb. 26	Wages– Settled through conciliation
Ottawa Board of Education, Ottawa, Ont.	Two teachers' union (Ind.)	1,600	3,200	3,200	Feb. 27	Wages, COLA clause–
HEALTH & WELFARE						
Norwood Auxiliary Hospital Dr. A. McGregor Nursing Home, Edmonton, Alta.	Public employees loc 1158 (CLC)	300	6,000	21,810	Nov. 19/74	Wage increase to non-union workers–
Hôpital du Sacré-Coeur, Hull, Qué.	Service federation (CNTU)	288	5,760	6,770	Jan. 28	Weekend work–
Victoria General Hospital N.S. Pathological Inst., Halifax, N.S.	N.S. Government Employees Assoc. (Ind.)	156	450	610	Jan. 30 Feb. 5	Wages– Employees resigned
9 hospitals, N.B., various locations N.B.	N.B. Assoc. of registered nurses	243	2.040	2,040	Feb. 3 Feb. 11	Wages– Return of nurses under injunction

STRIKES AND LOCKOUTS INVOLVING 100 OR MORE WORKERS, FEBRUARY, 1975 (PRELIMINARY) (CONCL'D

Industry Employer Location	Union	Workers Involved	Duration in Man-days February	 Accumulated	Starting Date Termination Date	Major Issues Result
Public Administration						
FEDERAL ADMINISTRATION						
Royal Canadian Mint, Ottawa, (Ont.), Hull (Qué.) & Winnipeg (Man.)	Public Service Alliance (CLC)	650	13,000	23,400	Jan. 9	Wages, COLA clause–
Government of Canada (37 departments and agencies) (Rotating) Various locations in Canada	Public Service Alliance of Canada (CLC)	7,329	34,400	34,400	Feb. 18	Wages–
LOCAL ADMINISTRATION						
City of Victoria, Victoria, B.C.	Public employees loc 50 (CLC)	280	5,600	7,000	Jan. 27	Wages–
City of Victoria, Victoria, B.C.	Public employees loc 388 (CLC)	250	5,000	6,250	Jan. 29 Feb. 4	Respecting picket lines set up by CUPE loc 50
Municipal employees coordinating committee, Greater Victoria, B.C.	Public employees loc 511, 374 & 388 (CLC)	750	13,500	13,500	Feb. 5	COLA clause–
Municipal employees coordinating committee, Greater Victoria, B.C.	Public employees loc 333 & 374 (CLC)	108	1,620	1,620	Feb. 10	Wages, COLA clause–
Surrey municipality, Surrey, B.C.	Public employees loc 402 (CLC)	700	1,400	1,400	Feb. 24 Feb. 26	Wages, COLA clause, grievances Settled through mediation
Municipal employees coordinating committee, Victoria B.C.	Public employees loc 382 (CLC)	279	1,400	1,400	Feb. 24	Wages & COLA clause–

CANADA DEPARTMENT OF LABOUR PUBLICATIONS

Industrial Relations Research in Canada (annual). An inventory of industrial relations research undertaken by the Department, other government departments, academic institutions and private individuals. Free. Cat. No. L2-29/1973.

ECONOMICS AND RESEARCH BRANCH

Labour Organizations in Canada (annual). Contains a brief commentary, the latest statistical data on union membership, and a directory of labour organizations with names of their principal officers, publications and the geographic distribution of their local branches in Canada. (Bilingual). Price $1.50. Cat. No. L2-2/1973.

Strikes and Lockouts in Canada (annual). Furnishes a record of strikes and lockouts occurring in Canada during a year. Tables and related texts show strikes and lockouts by years, by areas, by industries, including time lost, number of workers involved, duration, etc. (Bilingual). Price 75 cents. Cat. No. L2-1/1972.

Wage Rates, Salaries and Hours of Labour, 1974. This year the annual report containing the results of the October 1 survey of occupational wage rates and standard hours of work in selected industries appears in 35 separate booklets containing data for each of 35 major communities across Canada. The information is final; there is no preliminary report. In addition to the statistical measures presented in previous years, the 1974 report shows the median and 1st and 3rd quartiles. Information will also be shown by size of establishment and union/non-union for office employees. Various prices.(Bilingual). Cat. No. L2-5/1974 (Booklet No.).

Working Conditions in Canadian Industry, 1973. (Bilingual). Price $2.00. Cat. No. L2-15/1973.

Measuring the Quality of Working Life. Proceedings of a symposium on social indicators of working life. Ottawa, March 19 and 20, 1973. Edited by Alan H. Portigal. Price $4.00. Cat. No. L41-13/1974.

Productivity, Costs and Prices. An examination of trends in selected manufacturing industries, by Allan A. Porter. 1973. Occasional Paper No. 7. Price $3.75. Cat. No. L41-1173.

WOMEN'S BUREAU

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